

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN

REGULAR MEETING of the COMMUNITY DEVELOPMENT AUTHORITY

(OFFICIAL MINUTES)

Wednesday, September 06, 2006 @ 6:00 PM

Chairman Turner called the regular meeting of the CDA Board to order at 6:01 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Commissioners present: Roll call vote: Chairman Turner, Fisk, Petersen, Chanson, Wilson, Bliss (arrived @ 6:05 pm).

Commissioners absent: Commission Hibbard.

Also present: Village Administrator Kelly Hayden, Director of Public Works Craig Workman, Treasurer Peg Pollitt, Trustee Ron Pollitt, Trustee Micki O'Connell, Village Librarian Nancy Krei, Carolyn Esswein (Planning & Design Institute), Bradford Drefcinski & Eric Seidl (w/PDI), Peter Scherrer, Rick Rosenow (left @ 6:18 pm), Don Roberts, Marsha Williksen (arrived @ 6:12 pm), Kevin Kirkland (arrived @ 6:38 pm), and John O'Neill (arrived @ 7:58 am).

Visitors Heard

Chairman Turner asked if there were any visitors that wished to be heard. Mr. Rick Rosenow asked if there were any comments from the CDA regarding the letter he recently submitted. Executive Director McHugh explained that he had forwarded Mr. Rosenow's letter to the Village Board, as well as the CDA Commissioners. He also stated that he had written a response to Mr. Rosenow; alerting him to the fact that the Third Avenue plan had been approved by the Village Board and the CDA, and had been let out for bid. Chairman Turner asked Mr. Rosenow to explain his concerns for the group. Mr. Rosenow stated his opinion that the street trees specified for the curbed bump-outs on the north side of the street would block his view of the lake. He reminded the group that he had voiced these same concerns a year earlier. Executive Director McHugh explained that 'Regal Elms' were being specified as street trees for the project, because it was necessary for the chosen trees to grow up and over the adjacent parking spaces. If a shorter tree, such as an Ornamental Crab, were to be used, the branches of the trees would interfere with the use of the parking stalls on either side. Brad Drefcinski, the landscape architect for the project, stated that the trees would be approximately 12 feet tall when they were installed. Executive Director McHugh stated that a fully mature elm tree would reach a height of 45 to 50 feet. Mr. Rosenow quickly described the views from his building down Reid Street and Third Avenue. He stated that he was specifically looking for the Village to identify a substitute for the street trees on the north side of Third. Chairman Turner asked Mr. Drefcinski for his comments. Mr. Drefcinski explained that any tree tall enough to clear parked cars would end up blocking some views; as such, the only other option would be to remove the street trees. Chairman Turner asked Mr. Rosenow to describe his perceived impact to the view. Mr. Rosenow explained that he currently had views of the lake down Third and views to the Abbey Harbor down Reid Street. Executive Director McHugh pointed out that basically the entire lakefront in the Village of Fontana is owned by the Village. Because of that, every tree planted on the Beach, or anywhere in Reid Park or Pioneer Park, could conceivably disrupt some view of the lake. Executive Director McHugh also reminded the group that the Village had recently fined a property owner who had substantially pruned some trees located on public property in order to improve views to the lake. Mr. Rosenow expressed his opinion that trees should not be installed where they would not disrupt views of the lake, and explained that his attitude was shared by residents and owners of the Abbey, who were also against any trees along Fontana Boulevard. Commissioner Chanson stated that it would be impractical to prohibit trees along the lakefront, but he did think it would make

sense to revisit the issue to see if it were possible to lessen the impacts to views. Mr. Rosenow suggested that trees should only be introduced in areas where the Village already had trees. Because there were already trees in Reid Park, he suggested that street trees along the south side of Third Avenue would not be objectionable. Commissioner Wilson commented that trees do not necessarily block views; they frame and enhance views. She further commented that Mr. Rosenow's building was a commercial building; not a residential building. She stated that she would hate to set a precedent in the Village by prohibiting trees in order to preserve views. Mr. Rosenow clarified that he wasn't against shorter trees. With respect to schedule, Executive Director McHugh explained that the trees in the project would not be installed until 2007. Commissioner Bliss commented that we have time to revisit the plan and should do so. Ms. Esswein commented that street trees would bring a much needed vertical element to the streetscape in that area, but that PDI could investigate to see if a tree with a smaller canopy could be used. Commissioner Fisk stated that he would be in favor of researching alternatives. Commissioner Petersen stated he would not comment on the issue, since he was currently involved in a lawsuit with Mr. Rosenow and his business partner. Chairman Turner directed Executive Director McHugh to mark the subject trees on a small version of the Third Avenue plan and get it out to the Commissioners. He further directed PDI to identify some alternatives. Mr. Rosenow welcomed the members of the CDA to visit the building and to come inside to get a real feel for the view that he was working to protect. Chairman Turner commented that both Mr. Rosenow's interests and the interests of the Village in general should be considered when working to develop a sensible solution.

Mr. Rick Rosenow left the meeting at 6:16 PM.

Announcements

Chairman Turner reviewed the announcements listed on the agenda. He reminded the group that the Triathlon was coming up on Saturday. He alerted those present to the upcoming election on September 12th. He encouraged everyone to vote and to participate in the election, since the referendum for the Third Avenue projects, the burial of utilities, and the fencing along the Beach had been placed on the ballot. He noted that the upcoming Thursday was the deadline for the Village Newsletter. He reviewed the planned Joint Committee Meeting to consider the fence selection on Wednesday, September 20th @ 5:00 pm. Executive Director McHugh commented that the meeting is intended to gather all of the village boards and committees to discuss the final fencing choice. Chairman Turner informed the group that he would be unable to attend the event and commented that the CDA had previously made a fencing decision. Chairman Turner noted that the Plan Commission would meet on Monday, September 25th @ 5:30 pm. He reminded everyone of the upcoming Lakefront Workshop on Saturday morning, September 30th, and asked which members were planning to attend. Commissioner Bliss stated that he would not be able to attend. Commissioners Wilson, Hibbard, and Fisk indicated that they would be able to attend. Chairman Turner went on to note that the Workshop for the Duck Pond property was scheduled for the following month on October 28th. Executive Director McHugh explained that the rescheduling of the meeting from the 21st to the 28th was actually an agenda item which would be discussed later on in the meeting. Chairman Turner explained that he would not be able to make the meeting if it stayed scheduled for the 21st. Ms. Esswein stated that she would have to leave by 11:00 am, if the workshop was moved to the 28th. Finally, Chairman Turner reminded everyone present that the south half of the STH 67 Improvement project was underway, and the entire project was scheduled for completion on November 3rd.

Approve Minutes

Commissioner Petersen / Commissioner Chanson 2nd made a MOTION to approve the minutes for the regular CDA meeting held on August 01, 2006, and the MOTION carried without negative vote.

Approval of Current Payables

Chairman Turner confirmed that the total amount of the payables presented for payment was \$56,319.62. He further asked for clarification that the payables being presented were all related to approved projects. Executive Director McHugh stated that they were. Commissioner Chanson asked for an explanation of the charges to rewire the pier lights. DPW Workman explained that the pier lights were originally wired into the old Beach House. As a result of tearing down the old building, the pier lights had to be reconnected to the newly constructed facility. He explained that the power for the lights had been trenched underground from Pier #1 to the new building. Commissioner Chanson asked why the Village had lights on the Municipal Piers. Commissioner Petersen explained that the lights were installed on all of the Municipal Piers for safety reasons. Commissioner Chanson asked if there was a reason to light the piers, such as a requirement from the DNR or the Village's Insurance Carrier. DPW Workman suggested that the Village would probably have some liability issues with utilizing the piers at night for loading and unloading, if they were not lit. Executive Director McHugh commented that the piers had been lit prior to the construction of the new Beach House and had been reconnected to the new building upon completion. Chairman Turner requested that the Lakefront and Harbor Committee take up the issue of lighting Village Piers at their next meeting. Trustee O'Connell stated that she would put the issue on the next Lakefront and Harbor agenda. Chairman Turner asked that all lights on the lakefront, such as the lights installed by Gordy's, be addressed as well. Village Administrator Hayden informed the group that the Building and Zoning Department had recently visited the lakefront in the evening with a light meter and registered the intensity of all of the lights on the Village's lakefront. She further noted that the department was in the process of sending out approximately 20 to 40 letters addressing lights which violated the Village's lighting ordinance, including Gordy's. Commissioner Bliss asked if all of the pier lights were connected to the Beach House. DPW Workman explained that all of the pier lights, as well as the street lights on Lake Avenue, obtained power from the Beach House. During construction, the street lights were powered from the Lake Geneva Marine Building with a temporary overhead wire hung across the street. Commissioner Chanson asked DPW Workman if the \$3k bill for the pier lights was strictly for the reconnection of the lights themselves. DPW Workman explained that the work included the underground work, as well as additional work in the mechanical room of the Beach House. The reconnection of the lights required the installation of a separate panel in the building. Commissioner Chanson stated that he wanted to be sure that the charges were specifically related to the Beach House project, and truly a CDA expenses. Commissioner Bliss referenced the charges for the newly installed landscaping at the Beach House and asked for clarification as to why it was being paid by the CDA. Chairman Turner explained that there had originally been a proposal to install some temporary landscaping, which would not have been a CDA expense. The Park Commission was not in favor of installing temporary landscaping and had worked to develop a permanent plan that coordinated with the rest of the landscaping along the Boulevard.

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

Finance Reports

Full Accounting Statement & Value Increment Calculations

Chairman Turner asked why a revised Full Accounting Statement and Increment Projection Worksheet had not been included in the group's materials. Executive Director McHugh explained that there had been minimal change in projected costs, as well as a no change in the status of the "Cliffs of Fontana" development. As such, the full accounting statement and the increment projections remained unchanged for now. Chairman Turner confirmed that the increment projections had not been adjusted to reflect a positive impact from the proposed Quarry project. Executive Director McHugh confirmed that the current projections forecast a positive balance of approximately \$700k, without any impact from the Quarry Development. With that fact under consideration, the financial health of TIF District #1 is in very good shape.

PRESENTATION #1 | Planning & Design Institute
Fontana Boulevard Landscaping

Executive Director McHugh provided a brief history of the project and explained that the purpose of the evening's presentation was to elicit comments on the design, as well as to identify any unresolved issues, as the project moved into the design development stage. Ms. Esswein reminded the group that the project had previously been approved at the schematic design stage over two years ago. Chairman Turner confirmed that the design would be referred to the Park Commission and the Abbey, and would not need to come back to the CDA unless substantial changes were made to the concept. Executive Director McHugh reviewed the schedule for the project. Chairman Turner reminded the group that there is a large landscaping project going out to bid in January – Fontana Boulevard, STH 67 & Porter Court Plaza. He estimated that the group needed to have everything finished by December 1st, so that people would have a chance to review the final project prior to bid letting. Ms. Esswein agreed that it would be wise to have the project ready by the end of the year. Executive Director McHugh informed the group that he and members of PDI had met with representatives of the Abbey to discuss the proposed landscaping on Fontana Boulevard. As an aside, he noted that they had been informed of the current evening's presentation. In the recent meeting with the Abbey Resort, there had not been a significant amount of objection to the specific plantings chosen, the use of street trees along the northern edge of the resort, or the extension of a pedestrian pathway out to the intersection of STH 67. The items, with which the Abbey representatives were specifically concerned, included the final fence material for the Boulevard and the future placement of street lighting in the plan. With respect to lighting; the Abbey currently lights the Abbey Harbor parking area; the concept of lighting the municipal beach has been suggested; and the Village desires to light the boulevard in a style similar to what is already in existence on the western end of the street. The final decision as to which areas will be lit will have an obvious affect on the placement of street lighting. In its current form, the plan shows dual-mounted street lights down the middle of the boulevard. Chairman Turner suggested that the CDA should go on record with a decision on "more versus less lighting." Chairman Turner stated his position that the Village should not be attempting to light the Beach, or the Abbey Harbor parking area. Commissioner Petersen indicated that the City of Lake Geneva lights their municipal beach, which has provided for greater usage of the beach, and has also reduced damage from vandalism. He further stated that he has seen kids playing Volleyball on the Lake Geneva Municipal Beach as late as midnight. Commissioner Wilson asked if late night activity on the beach was something the Village wanted. Executive Director McHugh explained that the issue with lighting the Abbey Harbor parking area lies in the fact that the lot is currently lit from lights mounted on the utility poles along the boulevard. If the utility poles are removed as a result of future utility burial, a solution will have to be developed that maintains lighting on the Abbey property. Chairman Turner asked that the issue of lighting be placed on the agenda for the next meeting of the CDA. He requested that the group consider the issue over the next month and be prepared to discuss it at the October meeting.

Ms. Carolyn Esswein reviewed the overall design for the Fontana Boulevard landscaping project. Starting with the street trees, she explained that the Boulevard was originally planned to use only Crab Apple trees. Since then the landscape plans for STH 67 were developed to include a variety of tree species. She asked if the group still wished to use a single tree species on the boulevard. In response to questions from Chairman Turner, Executive Director McHugh explained that the Abbey did not state any objections to using Crab Apple trees. Chairman Turner asked how far apart the trees were spaced. Ms. Esswein explained that the trees were not as tightly spaced as what now exists along the southern edge of the boat trailer parking lot, but that they were not spaced as far apart as trees had been spaced in plans for other areas of the Village. Executive Director McHugh estimated that the existing trees were no more than 10 to 15 feet apart. Ms. Esswein stated that the two issues of tree spacing and tree species variation would be discussed with the Park Commission. Another item that needs to be addressed is the proposed layout for the sidewalks along the abbey property. The plan as developed shows a straight sidewalk from the curve in the street to the Abbey's main entrance. From the main entrance to the intersection of STH 67, the plan shows a less formal

meandering path. Chairman Turner confirmed that there was already a sidewalk located on the opposite side of Fontana Boulevard. Commissioner Bliss asked if there was a need to have sidewalk on both sides of the street. Ms. Esswein noted that one of the goals was to connect the Village's sidewalk system to the Abbey's trail system. Commissioner Petersen stated that there was already a natural path worn by the hundreds of people that walk from the Abbey property to the lakefront on a regular basis. Ms. Esswein explained that they had worked to incorporate a crossing at the curve of Fontana Boulevard to accommodate the pedestrian traffic between the resort and the lakefront. In reference to the concept of additional sidewalks, Chairman Turner stated that he thinks the sidewalks recently installed along both sides of the highway are a great benefit; "...how did we ever get along without them." Executive Director McHugh suggested that there would be positive benefits to both the Abbey and the Village to create several pedestrian connections. With respect to crosswalks, Chairman Turner asked if pavers had been considered for the crossings on Fontana Boulevard. Ms. Esswein stated that it was their recommendation to use pavers in the crosswalks, but that the intersections were not currently designed to be identical to the intersections recently constructed on STH 67. Commissioner Petersen asked for clarification on the idea of using pavers around the entire curve on Fontana Boulevard. Ms. Esswein stated it was a design concept that had been discussed earlier in the process, yet still needed development to determine the specific location of crosswalks. Commissioner Chanson stated that a crossing too far to the south would be unusable since the existing abbey fence would force people to walk around then and down to the south to cross the street. With respect to using pavers throughout the entire street as it rounds the turn, Ms. Esswein explained that the design element was being incorporated as a way to slow down traffic around the turn. Commissioner Bliss suggested that both crosswalks be removed and simply use pavers throughout the turn. Commissioner Petersen suggested that the crosswalks should be located where people cross naturally. Ms. Esswein noted that the location of the crosswalks needed to be considered in conjunction with the planned reconfiguration of the Beach Parking Lot. Ms. Esswein displayed a photomontage, as part of the power point presentation that illustrated the installation of sidewalk, fence and street trees along the Abbey property from the easternmost entrance to the turn in the boulevard. Trustee O'Connell asked if the spacing of the crab trees in the photomontage was identical to what was shown on the plans. Ms. Esswein stated that they were similar, but not exact. Commissioner Petersen asked why the Village would not simply match the fence that is already in existence on the Abbey property. Commissioner Chanson asked if the southern most crossing was being specifically installed to allow people to cross from the Abbey's Harbor House to the Lakefront. Commissioner Wilson noted that increased accessibility from the Abbey property to the Lakefront would serve to increase the value of the resort and lead to increased TIF revenues, which was one of the factors considered in financing the reconstruction of the Beach House. Commissioner Bliss stated that the real need for a crosswalk was to accommodate groups like the crowds of people that leave the Abbey to walk over to one of the Gage Boats. He saw no need for a direct pedestrian route from the Harbor House to the lakefront. He further commented that the CDA should concentrate on infrastructure improvements on the periphery of the Abbey property; the Abbey could choose to construct a direct path if they chose to do so. Executive Director McHugh clarified that not everything shown on the plans was automatically a CDA financed project. He went on to suggest that the current goal was to coordinate the planning of the area with the Abbey Resort and that the future installation, as well as the appropriate allocation of costs, would be discussed once a mutually agreed upon plan was developed. Chairman Turner suggested that the subject path be removed. Ms. Esswein addressed the stretch of the boulevard that runs north to south between the Abbey and the beach, and noted that the current plan called for a new fence along both sides of the road, with new street lights in the medians; there were no plans to install additional trees or landscaping. Trustee Pollitt asked if the proposed plan included the future burial of utilities and Chairman Turner confirmed that it did. Commissioner Chanson agreed that the Village should be sensitive to views, but asked if it was shortsighted to simply plan on no new plantings; perhaps shorter landscaping should be considered. Executive Director McHugh noted that there was little room available on the Abbey side of the street to install large street trees. In addition, the significant slope from the road down to the Abbey property would also make it difficult to install sizeable trees. Ms. Esswein

referred to the plans and pointed out that a significant number of trees were already present on the beach property. Commissioner Chanson cautioned that the Village should not adopt a policy where no new trees are planted. Trustee O'Connell suggested that the Village should wait to address the potential need for additional trees until after the utilities were buried and the new fence was installed. Commissioner Fisk stated that whatever fence is placed on the Village's property should match whatever is installed on the Abbey property and vice versa. Trustee O'Connell suggested that whatever fence is installed along the beach should be installed south of the bridge as well. At this point, the group generally reviewed the various issues that had been discussed to this point in the meeting. Trustee O'Connell acknowledged that using just Crab Apple trees would be aesthetically pleasing, but suggested that the species of the Crab Apple trees be varied in order to provide for color variation through the seasons. Commissioner Petersen asked if the plans contemplated the replacement of the existing Crab Apple trees along the boat trailer parking lot. Commissioner Wilson stated that several of the existing trees were in pretty poor shape. Commissioner Petersen suggested that all of the existing trees should be replaced to provide for uniformity in both size and spacing. PDI closed the topic with the understanding that the plans would be presented to the Park Commission for review and consideration.

Porter Court Public Plaza | Mill Street Plaza Retail Building

Ms. Esswein introduced the design for the Porter Court Plaza, including the landscaping for the planned Retail Building in the Mill Street Plaza development. She quickly reviewed the plan and provided a brief history of the planning process to date. She described the proposed plantings, noting that the concept was to install landscape material that would not require constant mowing. Ms. Esswein explained that the Retail Building had been moved to align the covered walkway with the recently installed crosswalk on Mill Street. From the building, the sidewalk links up with the planned sidewalks along the highway. Chairman Turner pointed out the 10-foot wide pedestrian path that meanders from north to south between the Mill Street Plaza development and the Highway and confirmed with Executive Director McHugh that it was going to be installed as part of the STH 67 Improvement project. Ms. Esswein presented current elevations from Workshop Architects for the planned Retail Building and noted that the portico does not run the entire length of the building. Commissioner Chanson asked why the Portico no longer ran the entire length of the building. Commissioner Bliss asked for clarification as to who was directing Workshop Architects (WSA) in the design of the buildings and who was paying for the work. Ms. Esswein explained that it was Brian Pollard's building designed by Workshop Architects. Executive Director McHugh confirmed that Mr. Pollard, not the CDA, was paying WSA for the design work. Commissioner Chanson stated that the CDA should have some input in the design and noted that he did not like the east elevation of the building. Commissioner Bliss reminded the group that Mr. Pollard had been asked at the previous meeting to address the east elevation with the architect. With respect to the design of the building, Executive Director McHugh presented the original boards that had been presented to the Village back in April 2005. He acknowledged that minor changes in the design had been made in the last year, but noted that the building being currently presented, including the shortened portico, had remained basically unchanged. He further explained that the reason the building was being presented at this time was because Mr. Pollard was in the process of finalizing the PIP (Precise Implementation Plan) for the Retail Building. Chairman Turner stated that the group had specifically instructed Mr. Pollard to address the east elevation with the architect at the previous meeting. Executive Director McHugh noted that the recently submitted letter from the architect did address the choice of roofing material, another issue that had been raised at the last meeting, but nothing in the letter addressed the east elevation. Ms. Esswein noted that any changes in the elevation of the building should be coordinated with Brad Drefcinski as he was developing the landscaping plan. Chairman Turner stated that one of the original concerns was the view of the building from the boulevard as one was driving from the east. He noted his observation that the building was actually located quite a bit south of the intersection. In addition, he commented that landscaping would screen the blank wall of the building from the Highway. Commissioner Chanson stated that while the landscaping may screen the building once it was fully matured, it would not screen the building when it was first

installed. Commissioner Bliss stated that the building should look good regardless of how much it was visible from the road. Commissioner Wilson expressed her opinion that the proportion of the windows on the east elevation of the building was not appropriate in relation to the height of the building. Commissioner Chanson stated that while the building would not be visible as one drove up the street, the flat face of the building with minimal windows would certainly be visible as one made the turn onto STH 67, unless there was extremely highly treed landscaping. Commissioner Wilson asked why the building was so tall if it was still only one story. Executive Director McHugh noted that Mr. Pollard had called and informed him earlier that, due to a conflict he had with another meeting, he was unable to attend the current evening's meeting. Without Mr. Pollard being present, and knowing that the construction of the building was contingent on a recommendation from the CDA and a final approval of the PIP by the Plan Commission, Executive Director McHugh asked if the group wished to provide direction which he could relay to Mr. Pollard. Village Administrator Hayden noted from the audience that the building as presented may not conform to the "performance standards" of the Village with respect to the ratio of windows.

Commissioner Chanson / Commissioner Fisk 2nd made a MOTION to "not" approve the plan as presented and request that Mr. Pollard resubmit a revised plan for consideration, and the MOTION carried without a negative vote.

Porter Court Public Plaza (Cont...)

Ms. Esswein returned to the design for the Public Plaza. She reviewed the hardscape materials being proposed, noting that the pavers would match the pavers currently being installed in the corners of the street intersections on the highway. Crushed stone would surround the area of the proposed fountain with larger boulders placed about to provide for sitting and climbing for children. For the squares underneath each of the trees, the original concept design calls for "little bluestem", a tall grass which will provide motion when it is blowing. One concern Ms. Esswein expressed with using "little bluestem" is that it may get too tall. An alternate idea, one for which she was asking the group for input, was the use of "no mow" grass. Chairman Turner suggested that perhaps that both could be mixed and matched in the plan. He also suggested that Sporobolus (*Sporobolus Heterolepsis* - aka: "Prairie Dropseed") could be used instead. Chairman Turner suggested that the Park Commission be asked to weigh in on the plant choices. Beyond the specific plant choices, Chairman Turner asked the group for their reaction to the formal nature of the plaza design. Commissioner Bliss stated that he liked the plan as long as it doesn't require the Village to hire another staff person simply to handle the maintenance. Ms. Esswein explained that a significant amount of "turf grass" had been removed from the design specifically to lessen the amount of maintenance required. Chairman Turner asked if the plan incorporated a step-down into the plaza from the surrounding concrete pavers. Mr. Drefcinski confirmed that there was intended to be several levels in the plaza. Commissioner Fisk commented that the design incorporated 4 or 5 different surfaces and asked if the crushed stone area would need to be shoveled in the winter time. Ms. Esswein assumed that only the area of the concrete pavers would be shoveled. Commissioner Chanson asked if the Village was going to be responsible for the entire maintenance of the area. Executive Director McHugh stated that the Public Plaza would be Village owned and maintained. Chairman Turner noted that a significant amount of sidewalks were being added to the Village as part of the CDA's projects and explained that there would be an increase in the amount of maintenance required. Treasurer Pollitt asked if a fountain had been considered for the water feature at the center of the plaza. Mr. Drefcinski stated that the specific details of the water feature, assuming the group approved of the general concept, would be fleshed out during the next stage of the design development. The group returned to the issue of sidewalk maintenance and shoveling and the consensus was that the Village should determine proper allocation of the maintenance responsibilities of the plaza with the Retail Building owner. Commissioner Fisk asked if there were other areas in the Village where crushed stone had been utilized. It was noted that the Mill Street Park Entrance, as well as the Abbey Resort, used crushed stone in certain areas. Ms. Esswein asked if some other pavement surface should be used, such as concrete. Chairman Turner expressed his opinion that the crushed stone seemed to be more inline with the design of the plaza. He further suggested that the Park Commission be asked for

their attitude towards the use of concrete as a replacement for the crushed stone. Ms. Esswein stated that an engineer would need to be brought in on the project if the Village still intended to incorporate a stone pedestrian bridge over the existing drainage ditch. Executive Director McHugh suggested that the design of the bridge should be based on the stone bridge currently located at the intersection of Wild Duck and Dade Road. He further cautioned that the inclusion of a stone bridge would bring with it increased costs. Trustee Pollitt asked if it would be possible to set aside a portion of the TIF monies in a fund to cover ongoing maintenance. Executive Director McHugh stated that the State Statutes specifically prohibit using TIF funds for general government operations; the funds are intended to fund capital improvements only. Executive Director McHugh noted that an engineer should be enlisted as quickly as possible for the design of the stone bridge if it was intended to be part of the overall landscape project that is currently scheduled to go out to bid in January 2007. Specifically, he mentioned concerns with obtaining a Chapter 30 permit to cross the waterway. He reminded the group that the Chapter 30 permit for the Beach House was applied for in November of 2005 and was not issued until February 2006. Commissioner Chanson asked what the cost would be to construct a stone pedestrian bridge. Executive Director McHugh stated that the costs would depend on the nature of the construction, but could be as high as \$200k for a true stone bridge, including soil borings, engineering and construction, assuming driven foundation pilings would be required. Mr. Drefcinski noted that building a true stone bridge would be more expensive than building a poured concrete bridge with a stone facing. The general consensus of the group was that it should not cost that much, and if it did, it was not necessary. Commissioner Chanson informed the group that the Big Foot Country Club had recently built a large stone bridge for approximately \$50k. Chairman Turner asked that Prairie Tree, the contractor currently constructing the large poured concrete retaining wall outside the Village Hall, be asked to provide a preliminary estimate before moving forward with any further engineering or design work. Ms. Esswein introduced the idea of installing a “butterfly garden” at the terminus of the diagonal walkway that extends out of the plaza area. The original plan had been to include a sitting area, but the concept was dropped because the area is right next to a large utility box that was installed as part of the STH 67 project. Ms. Esswein presented the original 2005 cost estimate for the Public Plaza. It was estimated to cost \$90k, including the landscaping, the crushed stone and the concrete pavers, but not including the stone pedestrian bridge. The original cost estimate was developed based on the assumption that the almost 2,000 square foot of area devoted to native prairie grasses would be seeded as opposed to installing individual plants. The installation of individual plants would add approximately \$11k. Chairman Turner estimated that the native grasses would take 5 years to fully mature if only a seed mix was used. He also anticipated that it would be a maintenance problem. Ms. Esswein agreed that installing individual plants would be the preferred method, but she explained that it would need to be decided shortly because they would need to coordinate the lay-out of the plants with Roy Diblik. Chairman Turner suggested that the issue be presented to the Park Commission for their input.

Mill Street Plaza Retail Building – Landscape Plan

Ms. Esswein moved on to the proposed landscaping for Mr. Pollard’s Retail Building. Commissioner Bliss asked what portion of the landscaping would be Mr. Pollard’s responsibility, and Executive Director McHugh confirmed that all of the landscaping on the Retail Building parcel would be the responsibility; PDI was just developing the plan. Trustee O’Connell asked if the sizes of the landscape materials were being specified in PDI’s plan, because she felt that most of the landscaping installed on the Town Home parcel was fairly small. Chairman Turner suggested that because the Mill Street Plaza development had produced more TIF increment than what was originally projected, the CDA should consider contributing money to the project to increase the size of the landscaping materials. In order to develop accurate cost estimates, Executive Director McHugh suggested that the CDA direct Mr. Drefcinski to move forward with actual construction specifications for the landscape plan. Commissioner Chanson asked why Mr. Pollard shouldn’t just install the plan as approved. Executive Director McHugh explained that the level of plan that was being presented was just a general schematic of the proposed design, but did not include the specific details. He further noted that Mr. Drefcinski was not under contract with the CDA to produce the construction

documents. Chairman Turner stated that it would be unfair if the CDA designed a plan that cost considerably more than what Mr. Pollard originally intended. Commissioner Bliss asked what it would take to finish the specifications. Mr. Drefcinski explained that Mr. Pollard, as a private developer, wouldn't need the same type of full blown specifications that a Village plan would require. He suggested that a plant schedule with sizes and conditions, along with some brief written specifications, could be easily completed. Chairman Turner asked if that detail would be enough to come up with a cost estimate. Chairman Turner then asked that Mr. Drefcinski develop a budget so that it was clear just what the CDA would be requesting of Brian. Mr. Don Roberts suggested from the audience that perhaps the Village could contract for the landscaping of the Retail Building in conjunction with the STH 67 landscape project and pass any potential savings realized from economies of scale along to Mr. Pollard. Chairman Turner suggested that the option be kept in mind. Commissioner Fisk stated that Mr. Pollard surely has a budget in mind. He further suggested that the CDA move forward with getting the plan further developed and work with Mr. Pollard if there is a gap. Mr. Drefcinski stated that he would prepare the requested specifications and cost estimate and get it to Executive Director McHugh.

STH 67 Landscape Project

Chairman Turner asked if the areas to the north and the south of the Public Plaza had been fully developed, such as the area in front of the Citgo Station. Ms. Esswein stated that those areas were completely addressed as part of the overall STH 67 Landscape Plan, which had been previously approved by the CDA. Executive Director McHugh noted that the only detail that remained open with the STH 67 landscape project was the selection of the final ten trees south of the Fontana Boulevard intersection. Chairman Turner expressed concern that everything remain on schedule for a bid letting in January 2007. Executive Director McHugh stated that nothing should prevent the STH 67 landscape project for going forward in the spring. He did note that the Public Plaza was contingent on Mr. Pollard getting final approval for the Retail Building.

TID #1 Infrastructure Projects

Construction Project Updates

Chairman Turner noted that the STH 67 Improvement project was progressing steadily. The contractor was currently installing the Geo-Foam in the roadway. He stated that the Beach House was basically complete and that the contractor was simply addressing punch-list items. Finally he noted that the Main Lift Pump Station and the Reid Park Restroom & Pavilion were both in progress, but would not be completed until the end of the year.

STH 67 – Amendment #3 to Crispell Snyder Design Services Contract (\$4,917.53)

Chairman Turner introduced Amendment #3 to the Crispell Snyder design and engineering contract for the STH 67 project. The amendment results in a net increase to the contract of \$4,917.53. Executive Director McHugh explained that the DOT was requiring the additional work on the Transportation Plat in order to allow the disposition of the excess right-of-way. Because the agreement is a 3-party contract between the DOT, Crispell Snyder and the Village, and is paid for with TIF funds, it requires action by the CDA.

Commissioner Petersen / Commissioner Chanson 2nd made a MOTION to approve Amendment #3 to the Crispell Snyder Design Services Contract for \$4,917.53, and the MOTION carried without a negative vote.

STH 67 – Progress Invoice #L44087 (\$36,792.82)

Executive Director McHugh explained that Progress Invoice #L44087 was payment due to the DOT for the Village's portion of the Highway project.

Commissioner Chanson / Commissioner Petersen 2nd made a MOTION to approve payment of Progress Invoice #L44087, for a total amount of \$36,792.82, and the MOTION carried without a negative vote.

Prairie Tree Proposal – Village Hall Parking Lot (\$22,130)

Chairman Turner noted that the Prairie Tree proposal was significantly less than the original \$80k quote received from the concrete structure contractor on the Highway project.

Commissioner Petersen / Commissioner Chanson 2nd made a MOTION to approve the proposal from Prairie Tree for the construction of the retaining wall and stairs in the Village Hall parking lot at a total cost of \$22,130, and the MOTION carried without a negative vote.

Village Hall Landscaping Project – Project authorization

Executive Director McHugh explained that cost estimates had been received from Prairie Tree and Roy Diblik of Northwinds Perennials Nursery for the final landscaping. Remaining items include the Library Sign and the reinstallation of the Library Statue. The request is to authorize the completion of the project and turn the final implementation of the plan over to the Park Commission.

Commissioner Petersen / Commissioner Chanson 2nd made a MOTION to approve the completion of the Village Hall project, and the MOTION carried without a negative vote.

Wild Duck Road – Ruckert Mielke Engineering Proposal

Executive Director McHugh noted that the engineering proposal from Ruckert Mielke for Wild Duck Road had been requested by the group at the previous meeting.

Commissioner Petersen / Commissioner Chanson 2nd made a MOTION to approve the engineering proposal from Ruckert Mielke for Wild Duck Road, at an estimated cost of \$25k to \$31k, and the MOTION carried without a negative vote.

Beach Improvement Project – Gilbank Construction Pay Request #4 (\$205,000)

Executive Director McHugh presented Pay Request #4 for a total of \$205k, noting that it had been reviewed and approved by the project architect – Workshop Architects.

Commissioner Chanson / Commissioner Petersen 2nd made a MOTION to approve Pay Request #4 to Gilbank Construction, for a total amount of \$205k, and the MOTION carried without a negative vote.

Ms. Carolyn Esswein, Mr. Brad Drefcinski and Mr. Eric Seidl left the meeting at 7:57 pm.

Beach Improvement Project – Gilbank Construction Pay Request #5 (\$90,000)

Executive Director McHugh presented Pay Request #5, for a total of \$90k, and noted that the Pay Request included some minor “punch list” items that were scheduled to be addressed in the next few days. In an agreement reached with the president of Gilbank Construction, Tom Gilbank, the decision was to submit the entire pay request, knowing that it would be approved contingent on the completion of the final “punch list” items, as opposed to reducing the pay-request and waiting until the October meeting for the rest of the payment. Executive Director McHugh asked that the pay request be approved contingent on Workshop Architects signing off on the final items.

Commissioner Chanson / Commissioner Bliss 2nd made a MOTION to approve Pay Request #5 to Gilbank Construction, for a total amount of \$90k, contingent on the project architect, Workshop Architects, signing off on the final “punch list” items, and the MOTION carried without a negative vote.

TID #1 Development Projects

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

Having discussed the project in detail during the presentation portion of the meeting, Executive Director McHugh quickly reviewed the letter from the project architect, Jan van den Kieboom, in which he stated his desire to maintain the roofing material as proposed.

The Cliffs of Fontana – Update

Chairman Turner stated that PAR Development was still working to obtain two necessary easements.

General Business

Lakefront Survey (Ramaker & Associates) - Update

Chairman Turner stated that Ramaker had recently submitted another revised survey. The document had been reviewed by Ruckert Mielke and was found to still contain several deficiencies. It is anticipated that the project will be completed within the coming month.

Lakefront Redevelopment / RFP Update

Executive Director McHugh informed the group that the Village had received two responses to the recently issued RFP for the Lakefront Redevelopment. The first had been submitted by Mr. Kevin Kirkland and Mr. William Gage. The second had been submitted by Mr. Peter Scherrer, on behalf of Scherrer Construction. He further noted that the group had in front of them a supplement containing additional information which had been submitted earlier that day by Mr. Scherrer. It contained additional elevations, as well as the financial information, and the "lease offer" to the Village. Mr. Scherrer approached the group to present his firm's submittal. He began his presentation by stating that they had worked very hard to create something that was very long term; not just a short term solution. He asked the group to envision what the project will look like when you come up the road, or approach by boat, and see this structure with a bridge that is extending out to a stairway. He stated that they were excited about how they were able to tie it into the parks and create a sense of a complete education center with a museum theme and a multi-function space located on the upper level. He pointed out the stations located within the park where users could read about the how the area developed and what happened historically on the lake. Their vision included lower levels that could be rented out to provide an income stream. They have some ideas for retail, such as internet coffee shops, but they are certainly willing to discuss the uses and businesses the Village would consider for the facility. They picture civic events at this location, similar to an event that is held in Madison called "Kites on Ice". Activities could occur year round, including a farmer's market, art shows, etc. The plaza area incorporates reading pods; large diameter structures that people could gather around. If the concept is something that the group approves, they are looking forward to participating in the Workshop scheduled for September 30th. Building materials include a wood-cement siding product. It is a "green" product which allows them to bring an ecologically responsible aspect to the project. Following his brief overview of the proposal, Mr. Scherrer asked for the group's first reaction. Chairman Turner stated that it was hard to give a first reaction, especially on the financials, seeing as the group had just received the supplemental information at the meeting. He asked Mr. Scherrer to describe how he saw his participation in the project. Mr. Scherrer stated that his proposal was to construct the building and then lease it back to the Village. Commissioner Chanson asked for clarification regarding the total amount of the lease based on a per-square-foot rent of \$32.50 quad-net. Mr. Scherrer explained that all of the financial assumptions were included in the supplemental information provided. Executive Director McHugh noted that the original RFP had simply requested a "lease offer" as part of the proposal. The RFP had left it up to the applicant to develop a financial structure that would work. Mr. Scherrer was proposing to own the building and then lease it to the Village. The Village would then operate the facility as the Master Lessor and capture rental income by renting the space to business entities and uses of its choosing. By placing the building on the tax rolls, as opposed to keeping ownership in the Village's name, TIF increment could then be used to finance the project. At the end of 20 years the building would be transferred free and clear to the Village. Per the financial information submitted, the Village's lease payment for the first year would be \$198,250. Over the 20 year life of the arrangement, the Village would make total lease payments of \$3.2 million and then own the building. Mr. Scherrer suggested that they bring in their financial analyst to discuss the numbers with the group. Chairman Turner commented that Mr. Scherrer had clearly chosen an interesting architect – The Albion Group out of Milwaukee. Commissioner Chanson noted that the building was pretty extreme for Fontana. Mr. Scherrer noted that the computer rendering makes it difficult to get a good feel for the building. Chairman Turner commented that he really liked the layout of the plaza and thanked Mr. Scherrer for spending so much time and effort. Commissioner Bliss stated that Mr.

Scherrer and his group had done a really good job. At this point, he felt the CDA needed to take some time to digest the information. Executive Director McHugh explained that the schedule issued with the RFP called for the CDA to discuss the submittals at the September 30th workshop. The CDA would then take up issue of scheduling individual meetings with the applicants during the October meeting.

Kevin Kirkland approached the group to present the submission put forth by he and Mr. William Gage. He noted that their proposal incorporated several of the same concepts as Mr. Scherrer's. He stated that the primary difference was the look and feel of the building. He stated that he and Mr. Gage felt that "shingle style" architecture would be more appropriate. Their concept was to create a maritime historical museum and educational center with indoor and outdoor activities. Chairman Turner noted that another significant difference between the two proposals was that Mr. Kirkland's plan called for the CDA to build the facility and then lease it to them. Mr. Kirkland stated that they weren't really sure as to how the finances should be structured. Chairman Turner noted that the unique financial structure proposed by Mr. Scherrer was more of a design-build arrangement that made sense as Mr. Scherrer was a contractor. Mr. Kirkland stated that he and Mr. Gage could bring the important parts to the project; perhaps Mr. Scherrer could build it. Chairman Turner noted that both proposals called for a single building. Commissioner Fisk stated that whether the facility was one building or two buildings, the most important thing was what was inside. He commented that the Scherrer proposal had a very nautical feel, but may be too modern for Fontana. Chairman Turner suggested that a couple of CDA members should form a programming committee to meet with the applicants. After general discussion, Commissioners Fisk, Chanson and Bliss were selected to form the Lakefront Buildings Sub-Committee. In review of the schedule, Chairman Turner commented that the project was not ready for a workshop on September 30th. Executive Director McHugh offered that the Workshop was important to gather public input and develop some programming definitions for the facility. Chairman Turner suggested that there needed to be something for people to react to. He referred to the proposed plan for the Duck Pond Workshop.

Duck Pond Community Workshop - Reschedule

Chairman Turner proposed that the Park Commission get involved in the planning for the Duck Pond property early on in the process. He informed the group that the Park Commission had already suggested two other professionals that they would like to see included. One was a Mr. Tom Vanderpoel, who has headed up the woodland and prairie restoration efforts in Barrington, IL for over 20 years. Chairman Turner updated the group on a recent field trip to Barrington with representatives of the Park Commission and Roy Diblik of Northwinds Perennials nursery to see Mr. Vanderpoel's work. Mr. Diblik also suggested a landscape architect by the name of Terry Guen from Chicago, who had actually been involved in the original Abbey redevelopment project. The plan is to have PDI use these individuals as sub-consultants on the Duck Pond planning project. An interim planning meeting has already been scheduled for the professionals to review concept development plans before the end of the month. Preliminary materials will be developed for review by the CDA at the October meeting. From there, concepts would be further developed and then presentation materials would be created for the Duck Pond Workshop. Chairman Turner suggested that something similar to that process needed to occur prior to the Lakefront Workshop.

Lakefront Redevelopment / RFP Update (Cont...)

Chairman Turner suggested that the Lakefront Workshop be rescheduled for November, so that there would be sufficient time to prepare presentation materials. Treasurer Pollitt commented that public input should be obtained early on in the process. Chairman Turner expressed concern that there would not be enough to present for the September workshop. Commissioner Wilson commented that the original planning workshops for the Village's Master Plan were very informal and had very little in the way of presentations. Commissioners Chanson and Bliss both stressed that there needed to be some formal structure to the workshop. Executive Director McHugh stressed that the planning process needed to begin. He reminded the group that the Lakefront Workshop

was originally scheduled for March 4th, but was canceled in reaction to the litigation involving the Main Lift Pump Station. Since that time, it had taken half a year to get back on track and get all the respective boards and committees rescheduled for the upcoming workshop on the 30th. He further noted that PDI had already prepared the outline and agenda for the upcoming meeting. Commissioner Wilson expressed her opinion that an informal workshop was exactly what was needed. People needed to get together and define what they wanted to see in a community center. Perhaps a survey could be issued at the workshop to get people's opinions. Chairman Turner suggested that the informal workshop go ahead as planned with the understanding that a follow-up event be planned that was much more formal. Mr. Don Roberts suggested from the audience that guidelines should be developed before detailed plans were created. The general consensus of the group was to move forward with the September 30th workshop. Chairman Turner asked that the three new members of the Lakefront Building Sub-Committee follow up with the applicants and come back to the October CDA meeting with some recommendations as to how to move forward.

Duck Pond Community Workshop – Reschedule (Cont...)

Commissioner Bliss asked for clarification on the expected cost to include Terry Guen, and the other sub-consultants previously discussed, in the Duck Pond project. Executive Director McHugh explained that the final proposal for the work was still forthcoming. Chairman Turner stated that he had been pushing forward with the Duck Pond project and had already met with the consultants that the Park Commission had recommended. They had been up to walk the site and he was very impressed with them. Executive Director McHugh stated that his only concern was that the additional professionals work directly with and through PDI, so that there is no duplication of work or effort. Commissioner Fisk asked that PDI get whatever presentation materials they were preparing for the meeting out to the group for feedback in advance of the event. Executive Director McHugh asked the group to formally reschedule the date of the Duck Pond Workshop.

Chairman Turner / Commissioner Petersen 2nd made a MOTION to reschedule the Duck Pond Workshop for October 28th, and the MOTION carried without a negative vote.

Mill House Park Structure - Update

Trustee Ron Pollitt informed the group that the Kikkoman Foundation Grant Application had been completed and formally submitted to the Kikkoman Board of Directors. He provided copies of the grant application to the group. He stated that an ad-hoc committee had been created for the project that includes two members of the Park Commission, as well as the CDA's Executive Director. He offered that the group would welcome the addition of any interested CDA members. He explained that the application requested \$40k from Kikkoman. The group was also working on another application to Alliant Energy. The preliminary budget for the project is \$80k. The committee interviewed two architects. They had chosen Mr. David Coates as the project architect because he had agreed to donate a significant portion of his fee. Chairman Turner reminded the group that the CDA had authorized \$35k for the project. Trustee Pollitt explained that he was hoping to have enough success obtaining grant funds that there would be no need to use the entire \$35k committed by the CDA.

WDNR Non-Point Source & Stormwater Grant Application - Update

Chairman Turner informed the group that both of the grant applications submitted to the DNR's Non-point Source and Stormwater Grant program had been rejected. Executive Director McHugh offered to obtain detailed information on the Village's actual ranking for the group. Chairman Turner suggested that the Village and the CDA now needed to reevaluate the project and determine the next step in the implementation of the Environmental Master Plan, in light of the two unsuccessful grant applications.

Ruekert Mielke Invoice #37737 – 3rd Avenue Realignment Plan

Chairman Turner quickly reviewed the history of the issue and explained that Ruekert Mielke had been asked to prepare an accounting of the costs specifically attributable to the 3rd Avenue

Realignment proposal; separate from their regular engineering costs incurred as part of the Third Avenue project. Executive Director McHugh reminded the group that the responsibility for the charges was originally questioned by the CDA and as a result had been referred to the Village's Finance Committee for review. The Finance Committee reviewed the issue at their August 17th meeting and had made a recommendation that the charges be paid by the CDA because the work was entirely related to current CDA projects, regardless of whether or not the actual realignment concept had been formally endorsed by the group. Trustee and Finance Committee Chairman Ron Pollitt confirmed from the audience that the committee's decision was based principally on the fact that all work was directly related to an active CDA project. Commissioner Chanson stated that he was against the CDA paying the charges since the group had never authorized the development of the concept. Chairman Turner explained that he had originally discussed the concept with President Tom Whowell. As the concept was developed, it was assumed that the Village was incurring the expenses, since the CDA had not formally authorized the work. Commissioner Bliss stressed the importance of making sure this type of thing never happened again. Commissioner Fisk asked for clarification of the dollar amounts listed in the Ruckert Mielke letter. Treasurer Pollitt explained that \$994.21 of the original May Invoice was attributable to the turnaround realignment. At the request of the Village, the original invoice had been voided and combined with the invoice under discussion. As such, the current invoice for \$3,577.61, included \$2,583.40 for Third Avenue engineering and \$994.21 for work related to the realignment concept. Commissioner Chanson expressed disbelief that the amount of work performed by Ruckert Mielke on the realignment project cost less than \$1k. He suggested that the CDA should hold Ruckert Mielke to that price for all future presentations. Commissioner Bliss suggested that the CDA Executive Director should send written communication from the CDA to the Village President indicating that this is the last time that the CDA will deal with an issue in which someone makes a commitment with CDA funds outside the boundaries of full authorization by the CDA board.

Commissioner Petersen / Commissioner Wilson 2nd made a MOTION to "not" pay the charges identified by Ruckert Mielke as being attributable to the Third Avenue Realignment plan, at a total of \$994.21, and instructed the Executive Director to send written communication from the CDA to the Village President indicating that this is the last time that the CDA will deal with an issue in which someone makes a commitment with CDA funds outside the boundaries of full authorization by the CDA board, and the MOTION carried without a negative vote.

Village Board Report – Third Avenue Ordinance

Chairman Turner informed the group that the proposed ordinance to convert Third Avenue to a two-way street had been tabled by the board for another month. Commissioner Chanson asked why the board had not taken action. Trustee O'Connell stated that the board wished to wait to see the results of the referendum on September 12th.

Lakefront & Harbor Report

Commissioner Chanson stated that there was nothing to report.

Park Commission Report – STH 67 Street Trees

No Report.

Executive Director Report

No 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 October 4th at 6:00 pm.

Pending / Future Items

Duck Pond Redevelopment – “Green Team” – No Discussion

Fontana Sports Parking Lot Reconstruction (Cost Sharing Proposal) – No Discussion

Hildebrand Conservancy – Boundary Delineation Project – No Discussion

Lakeshore Path Improvements – Third Ave. to Kinzie. – No Discussion

Van Slyke Creek Restoration (Park Commission Funding Request) – No Discussion

Landscape Irrigation Master Plan – No Discussion

Hildebrand Conservancy – Trail Maintenance – No Discussion

Adjournment

Commissioner Chanson / Commissioner Bliss 2nd made a MOTION to adjourn the meeting at 9:04 pm, and the MOTION carried without a negative vote.

Minutes prepared by: Joseph A. McHugh, Executive Director

Note: These minutes are subject to further editing. Once they are approved by the Community Development Authority, the official minutes will be on file at the Village Hall.
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APPROVED: Pending