

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN

REGULAR MEETING of the COMMUNITY DEVELOPMENT AUTHORITY

(OFFICIAL MINUTES)

Wednesday, January 09, 2008 @ 6:00 pm

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

Commissioners present: Roll call vote: Chairman Turner, Wilson, Chanson, Petersen, Hibbard, Fisk (arrived @ 6:02 pm) & Bliss (arrived @ 6:11 pm).

Commissioners absent: None

Also present: Village President Ron Pollitt, Trustee Micki O'Connell, Trustee Robert Youngquist, Park Commissioner Sharon O'Brien, Mr. Jim Knulty (Big Foot Country Club), Mr. Kevin Kirkland (Lake Geneva Marine), Ms. Carolyn Esswein (PDI), Mr. Terry Tavera (Ruekert Mielke), Village Administrator Kelly Hayden, Village Librarian Nancy Krei, Treasurer Peg Pollitt, Zoning Administrator & Building Inspector Ron Nyman, Department of Public Works Director Craig Workman, & CDA Executive Director Joseph A. McHugh.

Visitors Heard

Chairman Turner asked that Commissioner Hibbard, and representatives of the Village's Park Commission in attendance, be allowed to make a quick presentation during the visitor's heard portion of the agenda. Hearing no objections, Park Commission Sharon O'Brien introduced the concept of replacing certain pieces of aging equipment in Little Foot Park playground. She explained that a sub-committee had been set up that included, among others, Trustee Bob Youngquist, resident member Ms. Tigre Whowell, CDA Commissioner Gail Hibbard, and Park's member Sharon O'Brien. She relayed that they were in the process of investigating the cost, as well as developing a vision, for a new playground that would restore "...the beautiful old playground to its world class status." Ms. O'Brien explained that before moving too far forward with the project, the sub-committee wished to present the overall idea to the CDA in order to gauge support. Referring to the existing facilities, Ms. O'Brien informed the group that the equipment was in terrible shape and that replacement parts were no longer available in the original colors. In response to a question from Commissioner Fisk, Ms. O'Brien confirmed that the Park Commission did not include any money in their 2008 budget for equipment replacement. Commissioner Chanson asked for clarification as to how much the project was going to cost. Ms. O'Brien answered that the total cost of the project would be based, partially, on the level of support received from the CDA and other sources. She noted that the entire playground up at the Duck Pond Recreation Area cost the village \$30k, so they were looking to be in the same ballpark. With respect to the TIF eligibility, as regards the purchase and replacement of playground equipment, Executive Director McHugh noted that the approved project plan for TID No. 1 did include a budget line item for equipment replacement. Commissioner Wilson asked for information on the age of the existing equipment and Trustee Youngquist responded that he had been involved in the original project in the early to mid 90's. Commissioner Wilson asked if the equipment was still under warranty and Trustee Youngquist stated that it was, however, the replacement parts only come in two colors – brown & black. Trustee Youngquist further noted that the durability and safety of playground equipment had advanced remarkably in the last 10 years. Ms. O'Brien added that the current playground lacked sufficient ADA accessible equipment, and lacked "tot swings" as well. Chairman Turner suggested that the sub-committee work with Executive Director McHugh to refine a budget for the project. Commissioner Chanson asked if there was a need for a consensus from the CDA before the sub-committee proceeded. Commissioner Fisk

asked for clarification regarding the budget process for “Little Foot Playground” Equipment. Ms. O’Brien explained that the equipment had not been part of the Park’s request during the budget process. She further explained that the Park Commission had been charged with a great deal of responsibility managing CDA projects. Commissioner Hibbard stressed that she was in favor of the project. Commissioner Fisk offered that it was a worthwhile cause; but that he didn’t want the committees to get in the habit of simply relying on TIF money and not continuing to work on finding alternate funding sources as well. Commissioners Peterson and Wilson both indicated that they were in favor of the concept and Chairman Turner directed the sub-committee to move forward and develop a formal proposal. In addition to the Little Foot playground item, Ms. O’Brien asked for the CDA to address an outstanding Brickman Invoice that had recently been referred back to the Park Commission by the CDA. Executive Director McHugh reviewed the history of the invoice and noted that he had rejected it for payment when it was first submitted. He went on to explain that the confusion with landscaping projects stems from the difficulty in identifying the point where a project goes from initial installation to on-going maintenance. Following general discussion, it was decided that initial installation and the Capital Improvement Cost of landscaping projects should be understood to include the required work to ensure a successful grow-in during the first growing season. Executive Director McHugh noted that the current contract for the Duck Pond Gateway Triangle Landscaping project had been set up in such a way as to avoid this type of issue in the future. He added that there has to be a clean and clear line, both financially and operationally, when Capital Improvements are turned over to groups, such as the Park Commission, for on-going management and care. Chairman Turner polled the group and all commissioners were in favor of defining the Capital Improvement stage of a landscaping project as including the initial installation as well as the required maintenance and upkeep for the first growing season. With respect to the Brickman Bill, Commissioner Hibbard expressed her opinion that the CDA should make the payment.

Commissioner Hibbard/Commissioner Chanson 2nd made a MOTION to include Brickman Invoice No. 2262868751, for a total of \$1,022.00, with the Claims Payable for the month, and the MOTION carried without negative vote.

Following the motion, the group and representatives of the Park Commission discussed the Village’s overall budget process, as well as the impact that increased responsibilities for new projects has on the Park Commission’s portion of that overall budget.

Announcements

Chairman Turner reviewed the announcements listed on the agenda: Saturday, Jan. 12th @ 9 am – Park Commission Long-Range Planning Meeting; Tuesday, Jan. 15th @ 1 pm – Ad Hoc Committee on Joint Services - Meeting w/ VOF Department Heads @ Fontana Village Hall; Monday, Jan. 28th @ 5:30 pm – Plan Commission Monthly Meeting.

Approve Minutes

December 05, 2007 – Regular CDA Meeting (w/ Special Joint Session with Village Board)
No Action

December 17, 2007 – Joint CDA & VB Meeting

Commissioner Petersen/Chairman Turner 2nd made a MOTION to approve the minutes for the joint meeting held on December 17, 2007 with the Village Board, and the MOTION carried without negative vote.

Approval of Current Payables

Executive Director McHugh presented the “Claims Payable Report”, prepared by Treasurer Pollitt, totaling \$138,114.13. Including the addition of the Brickman Invoice, the claims presented totaled \$139,136.13. In response to questions from Chairman Turner, Executive Director McHugh reviewed a \$583.64 invoice from Ruckert Mielke, which had been submitted late for work completed in September of 2007. He further noted that the invoice was in excess of the original estimate for

the Fontana Water Boulevard Water Main Relay contract, but that it had been reviewed and was being recommended for payment. To clarify questions from the group, Executive Director McHugh explained that the "Construction Administration" contracts on the Village's infrastructure improvement projects were typically done on a time and materials basis.

Commissioner Petersen/Commissioner Fisk 2nd made a MOTION to approve the total Claims Payable report, of \$139,136.23, which included the addition of the \$1022.00 Brickman Invoice, and the MOTION carried without a negative vote.

Finance Report – Treasurer Pollitt

Update / Review – Full Accounting Statement & TIF Revenue Increment Projections
Chairman Turner noted for the group that Treasurer Pollitt and Executive Director McHugh were working to finalize an up-to-date Full Accounting Statement that included the results of the 2007 Audit, which was currently in progress.

CDA Sources & Uses Report

Executive Director McHugh reviewed an updated "Sources and Uses" report for the group. He noted that it had been updated to reflect the recent borrowing authorized on December 17th. The newly added borrowing was from Walworth State Bank for the Wild Duck Road project.

PRESENTATIONS

Planning & Design Institute | Site Assessment & Needs Analysis – VOF Lakefront
Chairman Turner introduced Ms. Carolyn Esswein from PDI (Planning & Design Institute) and noted that she was present to review the previous planning work completed by the CDA and to discuss the direction moving forward. Commissioner Chanson stressed that the group should not be trying to revisit the entire issue. Commissioner Petersen noted that the CDA had already developed a plan for the lakefront. Executive Director McHugh added that the issue of how to proceed on the lakefront had been the subject of several meetings and workshops, and several different ideas and direction had been proposed. The purpose of the presentation was to review the history of the planning efforts to date, and to make some critical assessment of some of the recently introduced concepts, such as a Marine Museum and/or a Library. At this point, Carolyn Esswein began a Power Point presentation. Ms. Esswein reminded the group that there were several pertinent issues raised when PDI was first hired to work on the lakefront plan, such as; views, improved walkability, pedestrian safety, quality of the environment, etc. She noted that the site is currently occupied by an approximately 7,000 square foot building. Further, the zoning requirements limit height of any new structure to 25 feet. She reviewed that one of the main divisive issues involved in the original discussion was whether or not to turn Lake Street. With respect to how to proceed, she noted that the Village and the CDA had many options: Do nothing for the moment, Convert space to parkland, pursue a Marine Museum type use, a Library, a Community Center, etc. Ms. Esswein noted that she had reviewed the two proposals received during the original RFP process for the site, and had discussed one of the proposals in depth with its submitter, Mr. Kevin Kirkland. She reviewed for the group the Kirkland/Gage proposal that proposed an approximately 12,000 square foot multi-functional facility. It included 4,000 square feet of museum space, which incorporated an area for traveling and permanent exhibits, as well as working space for activities. It would utilize the first floor and the loft space. There was also an area set-aside for waterfront activities, which was about 500 square feet. In addition, about 3,000 square feet was proposed to be occupied by a small restaurant or bistro. Another 4,000 square feet would be allocated to marine uses, and a small area of 500 square feet could be set aside to accommodate a desk and ticket sales for the Geneva Lake Cruise Lines. With all of the uses proposed, the first floor footprint would be almost 9,000 square feet. With the various types of uses proposed, Ms. Esswein noted that it might be possible to share parking between the uses, if they were programmed to use parking at different times. Following the review of Mr. Kirkland and Mr. Gage's proposal, Ms. Esswein touched on the RFP response provided by Peter Scherrer of Scherrer Construction, with the assistance of the Albion Group. There proposal included a museum-type use as well, which would occupy approximately 3,000 square feet of the 6,100 sq. ft. two-story structure. Their proposal also included a hardscaped plaza and 124

parking spaces. To refresh the memories of the group, Ms. Esswein reviewed the four successive options generated by PDI with input from the CDA. Option number one included two single-story buildings, a rerouted Lake Street, and a car turnaround area. Option number two included two single-story buildings, and kept Lake Street in its present location. Option number three included two single-story buildings and a rerouted Lake Street. The final option, which was the option that was subsequently included in the approved Lakefront Redevelopment Plan, included two buildings. One building was a single story building, and the second (Retail Building) was a two-story building. Both buildings totaled approximately 9,300 square feet of usable floor area, and the plan included a rerouted Lake Street. Because of the zoning's 25 foot height limitation on the lakefront, the second story in the Retail Building is really just a simple loft space; small enough to avoid an elevator requirement. Ms. Esswein reviewed the previously developed architectural renderings of the two conceptually proposed buildings. She reviewed the space requirements and the allocation of space to restroom and kitchen functions. One interesting feature of the concept building, which was one of the requested items during the design development stage, was a prominent balcony with an overlook to the lake. She noted that the two buildings proposed, with an approximately 6,300 sq. ft. footprint, would be actually smaller than the 7,000 square foot marine building that currently existed on the site. To relate various needs and uses to actual space requirements, Ms. Esswein presented several case studies. She presented a small 4,200 square foot community center building in Belgium, Wisconsin that actually incorporated an old Luxemburg barn. The building includes a "welcome center", administrative services, as well as room for museum exhibits. Ms. Esswein reviewed one of the ideas mentioned at the original workshop, which was moving the Village library to the lakefront. She noted that the current facility in the lower level of the Village Hall was approximately 7,000 square feet. She further noted that she had received dimension calculations from Commissioner Wilson who determined that only about 4,000 square feet is actually used to store the books and media. The remainder of the 3,000 square feet serves various activities, such as; children's story time and reading areas. With respect to library uses, Ms. Esswein noted that when Waterford, Wisconsin built a new library facility, the circulation rates increased by 150% to 200%. She further noted that the Waterford library was in the process of taking over 2,000 additional square feet that had originally been leased to a third party. Ms. Esswein noted that the facility under discussion included 1.6 parking spaces per 1,000 square feet of library floor space. This would be an important issue to address in Fontana, especially on the lakefront. Ms. Esswein reviewed several new library facilities to show what other communities were doing with their libraries: A suburban location in Muskego. A library as the anchor for a city center in new Berlin. City of Milwaukee example, and even a library from Oregon. One of the common elements in each of the libraries presented was the presence of community rooms and community space. A new library near Madison is even incorporating a small coffee shop. Per Ms. Esswein, Libraries typically require 4 to 5 spaces per thousand square feet. She did note that there are creative ways to accommodate parking, such as sharing with another nearby use, or incorporating on-street parking. With respect to community centers, Ms. Esswein noted that they typically require 5 to 10 spaces per thousand square feet, because you usually need to accommodate key events and meetings, which require a higher capacity. Retail uses typically require 3 to 4 parking spaces per thousand square feet. With Museums, she noted that the requirement would typically be based on the number of visitors. With all uses, and especially in mixed-use development, the preference is to utilize shared parking. To understand the Village's current parking situation, Ms. Esswein reviewed the parking study they completed in August 2002. The study ran from a Tuesday through a Sunday and noted that parking was not at peak demand except for the Sunday afternoon timeframe, due to a fishing tournament. Beyond special events, such as the summer fishing tournament, the parking issue appears to be more of a case of an underutilization of the parking spaces in the Boat Trailer parking lot and the parking lot across the street from the Municipal Beach. In reviewing one of the first conceptual designs for the lakefront, it was noted that the parking would be reduced from the current 194 down to 188, or a loss of 6 spaces. At this point, Ms. Esswein started reviewing exhibits which illustrated the potential building capacity of the lakefront site. In a scenario that allowed for Lake Street to remain in its present location, the building of a single-story, basically square structure, across lots 6 through 10, would provide for an approximately 10,800 square foot building. By adding two additional bumped-out areas to fit into

the angled site, the square footage increases to approximately 12,000 square feet. Assuming a 4 space per thousand square foot parking requirement, the facility would require 42 to 48 spaces. By reducing the size of the structure to keep its footprint within lots 7 through 10, the amount of square footage is reduced to 8,000 square feet. In the second scenario, the addition the two additional bump-outs brings the total to 9,200. At that size, the facility would require between 32 and 37 parking spaces, based on the 4 per thousand sq. ft. standard. To place the potential square footage of a single-story building in perspective, with respect to a library use, she reviewed that the consultant working with Williams Bay was recommending 14,000 square feet for a new library, and noted that the current Village of Fontana library was approximately 7,000 square feet. Keeping in mind that the lakefront maintains a 25 foot height restriction, a second floor would only achieve 75% of the first floor's square footage, if the group did not wish to use flat roof construction. Adding a second floor to the first scenario, covering lots 6 through 10, brings the total square footage to 19,000, or up to 20,000 square feet if the first the first floor bump-out additions are included as well. This would result in a need for 75 to 81 parking spaces. Adding a second floor to the second scenario, which covers only lots 7 through 10, provides for an approximately 15,000 square foot building, or up to approximately 15,300 square feet, with the first floor bump-out additions included. At those sizes, the facility would require 56 to 61 parking spaces. At this point Ms. Esswein reviewed a slide showing the pros and cons of the various options available. If the village chose to do nothing, there would be no cost and the currently existing 7,000 square foot marine building would remain. In that case, the site is still limited to a non-public use with visible boat storage. If the village chose to simply remove the existing marina building, the cost of the demolition would result in additional park space and greater lake views; however, public usage is limited to passive recreation. Choosing to build a small retail building is flexible with respect to square footage, since retail elements can be found to occupy anywhere from 300 to 3,500 square feet. The primary issue in building a purely retail facility is that the village would then have to rely on the local market and the highly seasonal tourism-based economy to keep and maintain a tenant and/or tenants. A retail use would also not be a truly public use. Erecting a museum could only require 3,000 to 4,000 square feet. Issues that would need to be addressed for a Museum use, per Ms. Esswein, would be whether or not there was an admittance fee, which would affect the level of public access. A museum use could also be combined with conference center type uses, such as meetings and events. With both the Retail and Museum concepts, there would be concerns with the hours it was open, as well as how to ensure that the facility was available to the public during the winter months when tourism based traffic would be down. For a community center use, the positive is that it is truly a public use. The size is flexible and could be accommodated with as little as 3,000 to 5,000 square feet. Programming issues, such as hours of operation and staffing, would need to be addressed; as would the inability of utilizing Tax Increment Financing to build the facility. Finally, a library use would have the largest square footage requirement, needing at least 10,000 square feet, considering that consultants are recommending a minimum of 14,000 sq. ft. for a new Williams Bay library and that the current Village of Fontana library is already 7,000 square feet. The benefits of a library use are that it has a distinct resident focus and could include a community room to accommodate meetings and events. Two difficult issues that would need to be addressed would be the need for significant parking, and the inability to utilize Tax Increment Financing. At this point, Ms. Esswein ended the PowerPoint presentation.

Commissioner Chanson noted that Ms. Esswein's presentation appeared to showcase a great deal of library uses. Ms. Esswein offered that she had worked into the presentation several recent projects as case studies, and noted that many communities were incorporating library and community-room uses in community-center development. She added that she had analyzed the Museum concept, because it had been suggested in one of the RFP submittals received by the CDA. Chairman Turner offered that the library concept was one of the more recently suggested uses and needed to be analyzed as part of the process. Ms. Esswein added that very few communities are building single-use community centers anymore. Administrator Hayden offered that the parking data from 2002 was no longer relevant, since they are now seeing parking issues every day of the summer on the lakefront. Chairman Turner asked if she was referring to the overflow parking as well, and Administrator Hayden confirmed that parking on the lakefront was now at peak demand on

weekdays as well. She further suggested that before the CDA or the Village tackled another building on the lakefront, the parking needed to be reevaluated. Ms. Esswein offered that the parking demand could easily be studied again during the coming summer season. Chairman Turner asked the Commissioners to offer their thoughts regarding the future use of the lakefront. Commissioner Petersen offered that the key goal should be turning the street and opening up the lakefront, regardless of what final use is decided upon. He added that he is not convinced that Fontana needs a library on the lakefront. In his opinion, what should be built is a Community Center that incorporated a small coffee shop. Commissioner Fisk stated that a nautical museum would be a very valid and unique use that would set Fontana apart from other communities and could serve as a draw. With respect to the parking issue, he offered that additional parking could be built once the old lift station was demolished. DPW Workman noted that the former lift station was slated to be demolished during the coming summer. Commissioner Fisk offered that the reduction of building foot-print realized by the demolition of the former lift station could be applied to a new building, with no overall increase in total footprint on the lakefront. Commissioner Petersen responded that the Village should utilize the entire permissible building envelope on the lakefront lots. Commissioner Hibbard commented that she was undecided on the one-story versus two-story issue. With respect to use, she noted that she was very in favor of both the library and the museum concepts. Her one concern with a museum use was a fear that it would sit dormant during the winter months. Commissioner Chanson stated his concern that a library sized for the community's needs would be far too large for the lakefront. He also argued that a library use would not be the highest and best use for the lakefront and the lake views, when compared to a community center. He further added that there should be a marina presence on the lakefront, because Fontana is a lakefront community and Fontana residents use the lake. With respect to a museum use, Commissioner Chanson provided an example of a museum that he and Chairman Turner had recently visited in Monterey, California. It was a gorgeous marine museum, located on Fisherman's Wharf, and was completely empty of the weekend they visited. That experience at a "free" museum caused him to question the suitability for such a use in Fontana. Commissioner Petersen commented that there is a museum in Lake Geneva that is rarely, if ever, used. Commissioner Wilson offered that the nature of libraries is changing considerably, as was shown in Ms. Esswein's presentation. She maintained that the current library is an example of the amount of community use, beyond book reading, that can be accommodated. Commissioner Chanson agreed that community uses should be encouraged, but that using valuable lakefront land for rows and rows of bookshelves would not be prudent. Commissioner Wilson offered that by combining a library use with a community center use, staffing issues could be eliminated. Commissioner Bliss maintained that the Village should stay with the plan that had already been developed. The plan, which he maintained was commonly supported by the public, did not include a library. He reviewed the recent discussions between the Village of Fontana and the Village of Walworth, regarding joint-services, and stated that if there was to be a new library it should be a shared library. As far as a library on the lakefront, he was very concerned about the parking needs. Commissioner Wilson contended that the previously developed plans did not specifically define the use of the facility. Commissioner Bliss offered that it should be determined by the market; the CDA should build a general use building and then put an RFP out to the public to determine its use. In that process, Commissioner Bliss stated, a community center component could be required. Chairman Turner reviewed his concerns with the size requirements for a library and the resulting parking issues. In his opinion, the plan should be for a community center type use, which incorporates a small coffee shop, and a commercial element. Commissioner Chanson stressed that it should include a marina component, and should produce revenue for the village. Both Chairman Turner and Commissioner Wilson agreed that rental of non-motorized watercraft and recreational equipment would be a positive element. Librarian Nancy Krei, in response to a question from Commissioner Wilson, noted that new ADA requirements would require shorter stacks (shelves) than what is utilized in the current library. Chairman Turner offered that shorter stacks would lead to an even greater need for square footage. Kevin Kirkland noted that the Waterfront Center in Oyster Bay, New York, offers the kind of kayak and equipment rentals envisioned by Chairman Turner and Commissioner Wilson. He further noted that George Williams College in Williams Bay also does something similar on the lakefront. Executive Director McHugh offered that a public

opinion survey could help to define the uses of the future facility, and he cautioned that building an empty shell and waiting for the market to fill the space would be risky. Commissioner Chanson stated that there was already a tenant in the current building that would occupy the new facility - Lake Geneva Marine Company. Chairman Turner asked the visitors present at the meeting, as well as the commissioners present, for a quick show of hands for the various uses. The general consensus of the group was that a library on the lakefront would be too large a use, that a museum would not be appropriate, and that the Village should proceed with the current plan. Commissioner Chanson stated that the group should not determine the details of the use, but allow the prospective tenant to determine whether they wished to operate a marina, a museum, or a coffee shop. Chairman Turner noted that the project would require a referendum, and that greater detail of the use and the look of the building would need to be developed so that people had something on which to vote. Chairman Turner suggested that the group make a formal motion to move forward with the original plan and make preparations for taking it to referendum. Commissioner Chanson clarified that the original plan be referred to as the "previously approved" plan. Commissioner Bliss asked what elements of the lakefront plan were to be included beyond the building itself. Chairman Turner suggested that, at a minimum, the reconstruction of Lake Street and the adjacent parking lot should be incorporated with the lakefront building project.

Commissioner Turner/Commissioner Chanson 2nd made a MOTION to move forward with the previously approved plan to build a community center and a retail center on the lakefront, with a total combined square footage of 6k to 7k square feet, and directed the Executive Director to develop a plan of implementation to prepare the project for referendum, including the reconstruction of Lake Street and the adjacent parking lot, and the MOTION carried without a negative vote.

Visitors Heard (Cont)

Commissioner Chanson noted that Jim Knulty, on behalf of the Big Foot Country Club, was in attendance to obtain an update on the Pottawatomie Creek Storm Water project. Executive Director McHugh stated that the item was not on the agenda, but that the project had been approved by the group and that funds had been included in the approved 2008 budget. The next step in the process, from the Village's standpoint, was to obtain engineering proposals. Chairman Turner reviewed that Executive Director McHugh would be preparing an implementation plan for all 2008 CDA projects, which would detail the various timelines.

TID #1 Infrastructure Projects - Public Works Director Workman

Gateway Triangle Landscaping Project – Bidding Plans & Schedule - Project Update
DPW Workman reviewed the bidding schedule for the Gateway Triangle Landscaping project. The project is scheduled to advertise for bid on the 17th and the 24th, with bids to be opened on the 31st. The project is anticipated to commence on or after May 1st, and should take about 30 days to complete.

Fontana Boulevard Water Main Relay Project – Mann Brothers Contract

Change Order No. 3 (\$6,397.00 Net Decrease) - Final

DPW Workman reviewed Change Order No. 3 for the group.

Commissioner Petersen/Commissioner Chanson 2nd made a MOTION to approve Change Order No. 3, for a total net decrease of \$6,397.00 to the Fontana Boulevard Water Main Relay Contract with Mann Brothers, and the MOTION carried without a negative vote.

Pay Request No. 3 (\$3,626.20) – Final

DPW Workman reviewed the pay request for the group and noted that it was the final payment for the project. He added that it included some credits for work done by third party contractors, for which the Village had already paid.

Commissioner Petersen/Commissioner Chanson 2nd made a MOTION to approve payment of Pay Request No. 3, for a total of \$3,636.20, as the final payment on the Fontana Boulevard Water Main Relay Contract with Mann Brothers, and the MOTION carried without a negative vote.

Fontana Boulevard Force Main & Storm Sewer Utilities – Mann Brothers Contract
Pay Request No. 8 (\$5,000.00) - Final

DPW Workman provided a quick history of the original Fontana Boulevard Utility project; noting that it had started back in 2005 and was completed in 2006. The final payment being presented, per DPW Workman, served to zero-out the retainage amount remaining on the contract.

Commissioner Petersen/Commissioner Chanson 2nd made a MOTION to approve payment of Pay Request No. 8, for a total of \$5k, as the final payment on the Fontana Boulevard Force Main & Storm Sewer Utilities Contract with Mann Brothers, and the MOTION carried without a negative vote.

General Construction Updates (Porter Court & Wild Duck Road)

DPW Workman noted that there had been some erosion control issues on the Wild Duck Road project, due to the rains received on the preceding Monday. He explained that because the seeding had been delayed, grass had not begun to grow by the time the project was put-to-bed in early December when the snow came. With the two inches of rain received in January, the topsoil had started to wash off the site. He reviewed the additional grading that had been done in the last couple of days and noted that polymers had been added to the soil. This should prevent further erosion. He added that contact had been made with the DNR and that they had been advised of the measures taken to address the problem. Beyond the erosion control issues, he stated that Wild Duck Road is now complete, except for the final course of blacktop that will be placed in the spring. With respect to the Porter Court Plaza project, he stated that he anticipates construction to commence within the next couple of weeks on the grading along the drainage ditch adjacent to STH 67. The rest of the work on the plaza will not begin until spring, when the ground thaws and there is good concrete working weather. Commissioner Wilson asked about the fact that there was a substantial build up of ice on the pedestrian path where it passes underneath Dade Road. DPW Workman reviewed that the path had been built as designed, and noted that it is intended to shed water from west to east, across the surface of the asphalt path. Unfortunately, per DPW Workman, the area that is icing up is located in the shade for a great majority of the day and the ice that builds up in that location is not melting. Chairman Turner directed DPW Workman to look into the situation to see what could be done to address the issue. Commissioner Wilson asked if salting the area and/or plowing the path was a possibility. Chairman Turner offered his opinion that neither option sounded preferable, and asked that Executive Director McHugh work with Commissioner Wilson and DPW Workman to make sure that the issues were addressed.

TID #1 Development Projects

Mill Street Plaza (FairWyn, Ltd.) – Update
No Discussion

The Cliffs of Fontana (PAR Development) – Update

Administrator Hayden noted that an amendment to the previously approved PIP was under review and consideration by the Plan Commission. She further noted that revised engineering reports from Ruckert Mielke regarding the retaining wall were expected to arrive within the week.

General Business

Beach Fence Project – Bid Summary & Recommendation of Award

Chairman Turner reviewed the Bid Summary Tabulation prepared by Ruckert Mielke and noted that Century Fence was the apparent low bidder. For the record, he listed the base bids of the three participating bidders: Century Fence @ \$168,372.50, Northway Fence, Inc. @ \$188,177.00, and Munson, Inc. @ \$223,433.75. He reviewed the two MA (Mandatory Alternate) bid items. MA No. 1 was for the removal and disposal of the existing fence. MA No. 2 was for the installation of a gate and additional fencing on the Beach House. Including the two MA bid items, the total bid amounts were as follows: Century Fence @ \$180,149.50, Northway Fence, Inc. @ \$199,227.00, and Munson, Inc. @ \$231,143.75. Chairman Turner informed the group that the Village Board, at their previous

meeting, had voted to approve the award of the contract to Century Fence, contingent on a positive recommendation by the CDA, as well as review of the contract and insurance by Village Attorney Dale Thorpe.

Commissioner Petersen/Commissioner Chanson 2nd made a MOTION to recommend the award of the Beach Fence project to Century Fence, the apparent low bidder, for a total bid price of \$180,149.50, including mandatory alternate bid items No.1 and No. 2, and the MOTION carried without a negative vote.

Abbey Resort & Fontana Spa Renovation Project – Legal, Financial & Bank Review
Chairman Turner reviewed the approval by the Village Board and the CDA of the Tax Increment Financing Development Agreement with the Abbey Resort, and noted that it had been contingent on legal review, financial review, and review of the bank that was to provide the letter of credit. Executive Director McHugh provided that CDA Attorney Hank Gempeler, and his firm, Foley and Lardner, had reviewed and finalized the agreement. He reviewed a redlined copy and a clean copy of the final agreement that had been included in the meeting packets. He reported that, other than for clarification language added to describe the specifics of the project, the document was relatively unchanged from the standard template agreement, which had been modeled on the tax increment financing agreement from the Heidel House resort in Green Lake, Wisconsin. With respect to financial review, Executive Director McHugh reviewed a letter and financial analysis from Jim Mann at Ehlers and Associates. He noted that the information had been presented to the Village Board as well. The letter stated that the investment of tax increment funds in the renovation project would be secure, since the agreement is backed by an LOC (Letter of Credit), which will reimburse the CDA's investment, even if the future increment fails to support the scheduled debt repayment plan. With respect to the letter of credit itself, the issuing institution, Park National Bank, was researched by Ehlers as directed. The bank received the highest rating attainable by VERIBACK, an independent rating service. Executive Director McHugh relayed that Jim Mann of Ehlers had stressed that his firm could not guarantee that the bank would not fail to honor its obligations, but that they saw no reason to reject the bank as the provider of the LOC.

STH 67 Driveway Entrance to Abbey Ridge - Update

Executive Director McHugh reviewed the results of DPW Workman's communications with the Wisconsin Department of Transportation. He noted that although the road functions as the primary entrance for a residential subdivision, the DOT considers the road as a private driveway from a permitting standpoint. As such, the Abbey entrance, per DOT standards, would not be allowed the second curb-cut that would be necessary to accommodate a dedicated right-hand turn lane, as suggested by representatives of the Abbey Ridge and the Abbey Villas. In response to a question from Commissioner Chanson, Executive Director McHugh answered that the item was on the agenda for update purposes only. Commissioner Petersen noted that the DOT had also reminded the Village that the driveway was never intended to be permanent. It was originally installed as a temporary construction entrance. Commissioner Petersen asked that developing a plan acceptable to the DOT should be the responsibility of the Abbey Ridge Homeowners Association. Chairman Turner asked Executive Director McHugh to continue to address the issue with the property owners.

Village Board Report – Chairman Turner

April 1, 2008 Referendum Question – Certification Update

Chairman Turner reviewed the proposed referendum question, presented by Executive Director McHugh, which was scheduled to be placed on the ballot for the April 2008 election. He added that the Village Board approved the question at the group's recent meeting, subject to final review by the CDA. He read the question for those present: "Shall the Village of Fontana on Geneva Lake be authorized to spend Tax Increment District Funds in an amount not to exceed \$2.5 million to complete the following? Bury Utilities: Underground conversion of the primary overhead utilities east of State Highway 67. Little Foot Playground: Install upgrades to Little Foot Playground. Street & Utility Reconstruction: Repair and reconstruct sections of Third Avenue, Reid Street & High Street, including improvements to sewer and water infrastructure. Boat Trailer Parking Lot:

Reconstruction and reconfiguration of the existing boat trailer parking lot.” Commissioner Chanson asked if the individual project elements would be listed separately with check-off boxes. Executive Director McHugh responded that it would be written in a paragraph format for the ballot. Chairman Turner/Commissioner Petersen 2nd made a MOTION to recommend approval of the proposed wording of the referendum question and endorsed its placement on the ballot for the April 2008 election, and the MOTION carried without a negative vote.

Following the vote, Executive Director McHugh quickly reviewed the results of the previous referendums. Chairman Turner reviewed the plans to prepare a informational piece for distribution to Village residents.

Lakefront & Harbor Report – Commissioner Chanson

Commissioner Chanson explained that there had not been a meeting in the last month.

Park Commission Report – Commissioner Hibbard | Executive Director McHugh

Little Foot Playground – Equipment Replacement Sub-Committee

This item discussed during the “Visitors Heard” portion of the meeting

Brickman Landscaping Maintenance Work - Payment Request to CDA (\$1,022)

This item discussed during the “Visitors Heard” portion of the meeting

Executive Director Report – CDA Director McHugh

CDA 2008 Budget & TID #1 Project Schedule – Update

Executive Director McHugh informed the group that he was making final revisions to the budget based on direction from the CDA and would be presenting the final draft to the Finance Committee for review and recommendation at their upcoming meeting.

Wisconsin DNR Recreational Trails Grant – Village Acceptance / Funding Proposal

Chairman Turner informed the group that the Village Board had approved a formal acceptance letter for the Recreation Trails Grant for the Walworth-Fontana Pedestrian Connection project. Executive Director McHugh added that he was waiting for Walworth’s representative, Mr. Rich Simonson, to return from out of the country in order to set up a planning meeting between him and Commissioner Wilson.

Confirm Quorum for upcoming Meetings

Next Regular Monthly Meeting – February 06, 2008 @ 6:00 pm (No Closed Session)

Chairman Turner noted for the group that the next regular meeting of the CDA would be Wednesday, February 6th @ 6 pm.

Agenda Item Requests for February Meeting

Commissioner Petersen introduced the concept of producing a village fireworks display on New Years Eve. He explained that he was not looking for it to become a CDA item, but that he was certainly hoping that the CDA would support an event that could serve to generate interest in the lakefront and help local businesses in the off season. With respect to the direction to move forward with the Lakefront Building, Commissioner Chanson asked that the implementation plan be brought back to the group before another presentation was planned, so that the group could clarify the specific direction for the consultant. Commission Hibbard commented that the earlier presentation by PDI had done a great job of clarifying the positives and negatives of several different uses. Chairman Turner added that he continued to be impressed by Ms. Esswein. For a future meeting, Chairman Turner asked that discussion be initiated regarding the potential development of site 6 on Wild Duck and Dade Road. He informed the group that he and Executive Director McHugh had recently met with Mr. Brian Pollard regarding potential development options for the site, as well as other redevelopment opportunities in the Village. He suggested that Executive Director McHugh work with Commissioner Wilson to start identifying qualified developers.

12-Month Schedule – 2008

No Discussion

Pending / Future Items

Fontana Fen – Property Line Delineation – No Discussion

Crispell Snyder Reimbursement Request: STH 67 Crosswalk Repair Costs – No Discussion

Industrialization of VOF Compost Operations (DPW Proposal) – No Discussion

Fontana Boulevard Landscaping Project – No Discussion

Beach Fence Construction & Maintenance Easements – No Discussion

Adjournment

Commissioner Chanson/Chairman Turner 2nd made a MOTION to adjourn the meeting at 7:48 pm, and the MOTION carried without negative vote.

Minutes prepared by: Joseph A. McHugh, CDA 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: **07 MAY 2008**