

VILLAGE OF FONTANA ON GENEVA LAKE  
WALWORTH COUNTY, WISCONSIN

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**REGULAR MEETING of the COMMUNITY DEVELOPMENT AUTHORITY**

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**(OFFICIAL MINUTES)**

**Wednesday, March 05, 2008**  
**Closed Session @ 5:30 pm | Open Session @ 6:00 pm**

Chairman Turner called the regular monthly meeting of the CDA Board to order at 5:31 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

**Commissioners present:** Roll call vote: Chairman Turner, Petersen, Chanson, Wilson and Fisk.

**Commissioners absent:** Commissioners Bliss and Hibbard.

**Also present:** CDA Executive Director Joseph A. McHugh.

**Announcement for CDA to Consider Going into Closed Session – Chairman Turner**

Commissioner Petersen/Commissioner Chanson 2<sup>nd</sup> made a MOTION for the CDA to go into closed session pursuant to Chapter 19.85 (1) (e) Wis. Stats. “Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.” specifically:

TID No. 1 | Potential Property Acquisition & Redevelopment, and a roll call vote followed:

Turner – Yes

Fisk – Yes

Petersen – Yes

Chanson – Yes

Wilson – Yes

The MOTION carried on a 5-0 vote, with Commissioners Bliss and Hibbard absent.

**Adjournment**

Commissioner Petersen/Commissioner Chanson 2<sup>nd</sup> made a MOTION to adjourn the CDA’s Closed Session at 5:55 pm and to reconvene in open session, and the MOTION carried without negative vote.

*The meeting room was opened at 5:55 pm and Chairman Turner announced a five minute recess and informed those present that the Community Development Authority would reconvene in open session at 6:00 pm.*

Chairman Turner called the open session meeting of the CDA Board back to order at 6:00 pm.

**Commissioners present:** Roll call vote: Chairman Turner, Fisk, Petersen, Chanson, Wilson and Bliss (Arrived @ 6:09 PM).

**Commissioners absent:** Commissioner Hibbard.

**Also present:** Park Commissioner Sarah Lobdell, Ms. Pam Carper & Mr. Chad Carper (Georgie B’s Restaurant), Mr. Don Ketterhagen, Mr. Terry Tavera (Ruekert Mielke), DPW Craig Workman, Village Administrator Kelly Hayden, Village Treasurer Peg Pollitt, Building Inspector Ron Nyman, Library Director Nancy Krei, and CDA Executive Director Joseph A. McHugh.

**Visitors Heard**

*Visitors were heard later in the meeting.*

**Announcements**

Chairman Turner reviewed the announcements listed on the agenda: Tuesday, March 11<sup>th</sup> @ 6 pm – Big Foot High School Honor Society Candidate’s Forum, Friday, March 14<sup>th</sup> @ Noon – Quarterly Newsletter Article Deadline, Wednesday, March 19<sup>th</sup> @ 6 pm – Park Commission Meeting, Thursday, March 20<sup>th</sup> @ 6 to 8 pm – Geneva Lake West Chamber of Commerce, Candidate’s Forum @ The Lodge at Geneva Ridge (former Interlaken Resort), Friday, March 21<sup>st</sup> & Saturday, March 22<sup>nd</sup> – Village Hall Closed, Saturday, March 22<sup>nd</sup> @ 10 am – Annual Easter Egg Hunt @ Duck Pond Recreation Area, Wednesday, March 26<sup>th</sup> @ 2 pm – Test of Electronic Voting Equipment (April Election), Monday, March 31<sup>st</sup> @ 5:30 pm – Plan Commission Monthly Meeting, Tuesday, April 1<sup>st</sup> @ 7 am to 8 pm – Spring Election & 3<sup>rd</sup> Avenue Project Referendum, Wednesday, April 2<sup>nd</sup> @ 6 pm – CDA Monthly Meeting, & Monday, April 7<sup>th</sup> @ 6 pm – Village Board Meeting.

**Approve Minutes**

**January 09, 2008 – Regular CDA Monthly Meeting**

**February 11, 2008 – Regular CDA Monthly Meeting (Makeup for Canceled Feb. 6<sup>th</sup>)**

Commissioner Chanson/Commissioner Petersen 2<sup>nd</sup> made a MOTION to approve the minutes for CDA meetings held on January 09, 2008 and February 11, 2008, and the MOTION carried without a negative vote.

**Approval of Current Payables**

Commissioner Fisk/Commissioner Chanson 2nd made a MOTION to approve the Claims Payable report, of \$31,531.60, and the MOTION carried without a negative vote.

**Review Engineering Charges - Wild Duck Road Project**

*No Discussion*

**Finance Report – Treasurer Pollitt**

**Update / Review – Full Accounting Statement & TIF Revenue Increment Projections**

Chairman Turner reviewed the Full Accounting Statement for those present. He noted that the statement currently projected a deficit of \$335k. Executive Director McHugh reviewed the fact that the Full Accounting Statement was based on conservative increment projections.

**Visitors Heard**

Chairman Turner asked if there were any visitors who wished to be heard and Chad Carper asked to address the group:

**Pam & Chad Carper – GBC Hospitality (Georgie B’s Restaurant) | Mill Street Plaza Tenant**

Chad Carper introduced himself and his business partner, Pam Carper, and informed the group that they planned to open a restaurant in Brian Pollard’s Mill Street Plaza Retail Building. He stated that they had already received State-Approved Plans. He distributed a copy of the restaurant’s Business Plan and Menu to the group. He claimed they were shooting for a May/June opening. He informed the group that he planned to return at a future meeting to apply for assistance through the TID.

**PRESENTATIONS**

*No Presentations Scheduled for this Meeting.*

*Executive Director McHugh noted that Mr. Don Ketterhagen and Ms. Sarah Lobdell were both in attendance to address specific items on the agenda. Chairman Turner agreed to address their items next.*

**Village Board & Administration Report – Chairman Turner / Administrator Hayden-Staggs  
Fontana Corner Market (286 Valley View Drive)**

**CUP Approval & Façade Improvement Requirement**

Executive Director McHugh explained that Mr. Don Ketterhagen had recently received approval of a CUP application, one of the conditions of which was that he work with the CDA to improve the exterior façade and canopy of his gas station. Executive Director McHugh reviewed the CUP application, a copy of which had been provided to the CDA members as part of their meeting packets. Chairman Turner complimented Mr. Ketterhagen on the improvements he had already made to date. Mr. Don Ketterhagen reviewed his plans to reduce the level of exterior lighting. Chairman Turner discussed the plan to improved landscaping and suggested that Mr. Ketterhagen work with the Park Commission to coordinate the plantings. Chairman Turner also asked that Mr. Ketterhagen work with CDA Commissioner Cindy Wilson with respect to improving the façade and the canopy.

**CDA Commissioner Skip Bliss arrived and entered the meeting at 6:09 PM**

Chairman Turner directed Executive Director McHugh to put together a meeting of all interested parties to address the renovation of the gas-station canopy and façade.

**TID #1 Infrastructure Projects - Public Works Director Workman**

**Third Avenue Reconstruction Project - Engineering Proposal (Update & Rebid)**

Chairman Turner presented the proposal from Ruekert Mielke to complete additional engineering work on the Third Avenue project, with respect to the referendum schedule.

Chairman Turner/Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve the proposal from Ruekert Mielke to complete engineering work on the Third Avenue Project, contingent on a successful referendum, and the MOTION carried without a negative vote.

*Executive Director McHugh noted that Ms. Sarah Lobdell was in attendance to address a specific item on the agenda. Chairman Turner agreed to address the Park Commission item next.*

**Park Commission Report – Commissioner Hibbard | Executive Director McHugh**

**Little Foot Playground – Equipment Replacement Proposal – Update**

Park Commissioner Sarah Lobdell updated the CDA on the Park Commission's plan to update the equipment in the Little Foot Playground. She explained that the sub-committee had been meeting with vendors as regards potential options. Chairman Turner asked if there was an intention to replace the equipment during the Third Avenue project. Executive Director McHugh explained that the hardscape of the playground was planned for little change or improvement, as such it would probably prove cheaper to buy and have the equipment installed directly by the vendor, as opposed to adding it to a general road contract, which would require mark-up for the additional overhead and contact requirements.

**Kinzie Street Reconstruction Project – Engineering Proposal & Project Cost Estimate**

Executive Director McHugh distributed updated cost projections, which had been provided by Ruekert Mielke directly prior to the meeting, which estimate the cost of the Kinzie Street Reconstruction project at \$355k to \$435k, which is higher than the previous estimates. Executive Director McHugh suggested the group set a not-too-exceed project cost, to ensure that decisions made along the way respect the budget, and Chairman Turner countered that limiting the budget would prohibit the engineers and Craig from taking advantage of opportunities that present themselves in the field. Commissioner Bliss commented that the project seems terribly "pricey" for a project that basically encompassed just two blocks of street.

Commissioner Petersen/Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve the proposal from Ruekert Mielke to perform engineering work on the Kinzie Avenue Reconstruction Project, at a estimated cost of \$33k to \$40k, and the MOTION carried without a negative vote.

### **Wild Duck Road & Pedestrian Path (Phase II)**

#### **Engineering Proposal & Project Cost Estimate**

Executive Director McHugh distributed updated cost projections, which had been provided by Ruekert Mielke directly prior to the meeting, which estimate the cost of the Wild Duck Road project at \$700k to \$1M, which is beyond the original budget of \$718k. Mr. Terry Tavera explained that the costs of the project were difficult to project, because several project elements had yet to be decided upon, such as, would there be street lighting, would there be utility work for future buildings, etc.

Chairman Turner asked if Terry Guen was under contract for the design-development phase as well, and Executive Director McHugh explained that she was not. Commissioner Bliss suggested that the project engineers clearly inform the Village and the public with respect to any tree clearing and removal, so that there are no surprises like the denuding of the hillside that occurred in phase-one of the Wild Duck Road project. The group discussed disappointment in Ruekert Mielke for not making it clear to the board the amount of tree clearing and grading that would need to occur to accommodate the construction of the pedestrian path. Commissioner Petersen asked the CDA to go on record that it promoted the removal of all invasive tree species regardless of size.

Chairman Turner/Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve the proposal from Ruekert Mielke to perform conceptual design and engineering work on the Wild Duck Road & Pedestrian Path project, at an estimated cost of \$15k to \$20k, contingent on the engineers clearly marking any and all trees, over 4" in diameter, that would need to be removed as part of the project, and the MOTION carried without a negative vote.

### **STS Proposal for Ground Water Investigation & Characterization (Former Landfill)**

Commissioner Petersen relayed, on behalf of the DPW Committee, their recommendation that the Village move forward with the rotary-sonic method of drilling for the purpose of investigating and characterizing the former landfill. DPW Workman further explained the various available investigation methods for those present. DPW Workman explained that once the four borings were done, to a depth of approximately 100 feet, and the wells were in place, they would take quarterly samples for about one year.

Commissioner Peterson/Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve the proposal from STS to perform Ground Water Investigation & Characterization work on the site of the former landfill, at a contract cost of \$63,600, and discussion followed...

Commissioner Jeff Fisk commented that his organization can drill an 80-foot well for \$2,600 and offered that the proposal put forth by STS appeared horrendously expensive. DPW Workman explained that STS had provided a proposal to drill four wells using standard hollow-stem drilling at a cost of \$17k for four wells. DPW Workman added that the remoteness of the site and the makeup of the soil caused him to recommend the rotary-sonic method of drilling, even though it was more expensive. Chairman Turner asked about alternative firms, and DPW Workman reminded the group that STS was chosen following an extensive RFP process. DPW Workman added that it was the recommendation of the engineers to utilize the rotary-sonic process. DPW Workman reviewed all of the available methods reviewed and considered by the engineers and the DPW Committee for those present. He added that it would be near impossible to navigate a standard drill rig on the site and accomplish the intended work. Commissioner Chanson suggested that a third party should be used to confirm the price estimates. He further noted that there was no reason to rush the approval of the contract, and that the prices should be reviewed and further investigated. DPW Workman noted that the costs involved more than simply boring the holes, as STS would also construct the actual sampling wells, as well as perform the sampling. Chairman Turner asked if the group would prefer to Table the item pending review of the proposal by Ruekert Mielke in advance of the next monthly meeting.

Following discussion, Commissioner Peterson/Commissioner Chanson 2<sup>nd</sup> withdrew their previous MOTION to approve the proposal from STS to perform Ground Water Investigation & Characterization work on the site of the former landfill, at a contract cost of \$63,600.

Commissioner Fisk/Commissioner Bliss 2<sup>nd</sup> made a MOTION to TABLE the proposal from STS to perform Ground Water Investigation & Characterization work on the site of the former landfill, at a contract cost of \$63,600, and directed DPW Workman and Ruckert Mielke to review the proposal and the proposed cost for reasonableness, and the MOTION carried without a negative vote.

**Porter Court Plaza – Mann Brothers Contract Update**

Executive Director McHugh informed the group that the Porter Court Plaza project was set to commence the next day following the meeting.

**Duck Pond Gateway Triangle Landscaping Project – Update**

DPW Workman informed the group that the landscaping contract had been signed and was currently under review by Prairie Tree's insurance company.

**Beach Fence – Century Fence Contract Update | Schmitz Easement Update**

Executive Director McHugh stated that the contacts had been completed and that Mr. Schmitz had finally been contacted to confirm the details of the required easement, which had been forwarded to the Village Attorney Dale Thorpe for finalization. DPW Workman stated that removal of the old fence had begun earlier that day.

**General Construction Updates**

DPW Workman stated he had no further updates.

**TID #1 Development Projects**

**Mill Street Plaza (FairWyn, Ltd.) – Update**

**Plaza Open House w/ Geneva West Chamber of Commerce (Proposed Date: June 13<sup>th</sup>)**

Executive Director McHugh explained that he had been meeting with Pam and Chad Carper, as well as Denise Schultz on behalf of the Geneva Lake West Chamber of Commerce, to organize an open-house for the Plaza. He added that Mr. Brian Pollard, on behalf of FairWyn Development, had offered to provide the food, and the Chamber would perform all of the legwork. The request to the CDA was to pay for the advertisement. Executive Director McHugh offered that he would come back once the event drew nearer to review the details.

**The Cliffs of Fontana (PAR Development) – Update**

Village Administrator Kelly Hayden informed the group that PAR Development had sold a total of three units. In an effort to reduce the number of items continually placed on the agenda, Commissioner Petersen suggested that Village Administrator Hayden no longer needed to provide a monthly report on the status of The Quarry development.

**Fontana Boulevard Redevelopment – Bidwill Concept Update**

Village Administrator Hayden explained that the Bidwill Development concept was planned to go to the Board of Appeals for a variance, in an effort to allow four units.

**General Business**

**Randall Arendt Presentation Proposal - “Commercial Corridor Redevelopment Workshop”**

Chairman Turner explained that Randall Arendt had developed a new presentation on Strip Development, and that Commissioner Cindy Wilson had suggested that the CDA sponsor a local presentation by Mr. Arendt. He noted that it would be an excellent opportunity to invite interested Village Officials and residents and stimulate some good planning discussion. Chairman Turner reviewed a previous event when a speaker from the Nature Conservancy was sponsored by Mr. John Anderson to come and speak locally. Commissioner Wilson suggested that it would be an excellent opportunity to fine-tune the Master Plan. Chairman Turner suggested that the event be scheduled to occur simultaneously with the planned Open-House of the Mill Street Plaza. Chairman Turner suggested that the event could be organized to specifically address Fontana Boulevard and Third

Avenue. Chairman Turner suggested that the event should provide sketches of proposed development on Fontana Boulevard. He reminded the group that Randall Arendt had been instrumental in the planning of the John Tracy project. Village Administrator Hayden suggested that the event be planned as early as possible as Mr. Bidwell was currently in the process of planning the property. Chairman Turner suggested that the event be scheduled for May and Commissioner Wilson noted that she had been informed by Mr. Arendt that he would be available for that timeframe. Village Administrator Hayden stated that it was feasible to organize the event for the coming May.

Chairman Turner/Commissioner Chanson 2<sup>nd</sup> made a MOTION to sponsor a local presentation by Mr. Randall Arendt, with the understanding that the event would result in conceptual development plans for Fontana Boulevard and Third Avenue, and that Mr. Arendt would be provided with the current plans for those areas in advance, and that the presentation would occur in May, and the MOTION carried without a negative vote.

#### **Walworth-Fontana Pedestrian Path – Update (Foth Engineering Proposal - Review)**

Executive Director McHugh explained that he and Commissioner Wilson had met with Mr. Rich Simonson of the Village of Walworth, as well as a representative of Foth Engineering, approximately three weeks prior, to review the site and the project. He also stated that the Village had sent in a letter of intent to the DNR for the grant, and was now waiting to receive the formal application package. He presented an engineering proposal from Foth Engineering to refine the design and the cost estimates, which consisted of \$3,300 in surveying expense and \$4,300 in concept design work. Without the additional work, it was not possible to narrow down the cost from the original estimate provided by Crispell Snyder, which projected costs between \$100k and \$300k. He noted that the wide range was due to the lack of programming details originally provided to Crispell Snyder. He further stated the intent that the total \$7,600 in engineering expense was planned to be shared between the Village of Fontana and the Village of Walworth, on which a cost sharing agreement had not yet been reached. Village Administrator Hayden explained that she had been in discussion with David Rasmussen of the Village of Walworth, who had stated that they were concerned about the fact the path was entirely located in the Village of Fontana, as a result of the relatively recent annexation of the Bear Trap Ridge development. Her conversation with both Mr. Rich Simonson, as well as with Mr. David Rasmussen this afternoon, led her to believe that it would be more appropriate for the Village of Fontana to cover a larger portion of the costs. Chairman Turner confirmed that the project had received approximately \$150k as the total grant. Executive Director McHugh noted that the confusion was a new issue and added that the Village of Fontana had not planned to construct a path solely to serve six homes in the new Bear Trap Ridge subdivision, but that it was intended to be a 50/50 project, as it would connect the trail systems of the two neighboring villages. In response to a question from Chairman Turner, Executive Director McHugh explained that he had budgeted for the Village of Fontana to pay for the entire project up front and then to coordinate financing with the Village of Walworth. Village Administrator Hayden offered that it would be cheaper for the Village of Walworth to borrow the necessary funds from the Village of Fontana instead of borrowing the funds directly. Chairman Turner directed Village Administrator Hayden and Executive Director McHugh to work on the details of the financing arrangement with the Village of Walworth and to then bring the project back at a future meeting for further discussion.

#### **CDA Appointment Status Report**

No Discussion

#### **Village Board & Administration Report – Chairman Turner / Administrator Hayden-Staggs**

##### **Approval of State Trust Fund Loan Resolution (\$500k | Abbey Spa Renovation Project)**

Executive Director McHugh updated the group as regards the State Trust Fund Loan application and noted that no action was required by the CDA at this time.

**Fontana Corner Market (286 Valley View Drive)**  
**CUP Approval & Façade Improvement Requirement**  
*This item was reviewed and considered earlier in the meeting.*

**Lakefront & Harbor Report – Commissioner Chanson**  
**Boat Trailer Parking Lot Reconfiguration Proposal – Summer 2008**  
Executive Director McHugh updated the group on the re-striping plan for the Boat Trailer Parking Lot. The new plan reduces the number of available parking stalls to thirty.

**Park Commission Report – Commissioner Hibbard | Executive Director McHugh**  
**Little Foot Playground – Equipment Replacement Proposal – Update**  
*This item was reviewed and considered earlier in the meeting.*

**Executive Director Report – CDA Director McHugh**  
**2008 CDA Budget**

Chairman Turner reviewed for the group that the CDA had previously approved the Work-Plan for 2008, and had also reviewed the Full Accounting Statement, which had been developed based on the accepted Work-Plan.

Commissioner Petersen/ Commissioner Chanson 2<sup>nd</sup> made a MOTION to approve the 2008 CDA Budget as presented, and the MOTION carried without a negative vote.

**2008 TID No. 1 Project Implementation Plan**

Chairman Turner reviewed the TID No. 1 Project Implementation Plan as prepared by Executive Director McHugh and commended him on the excellent work.

**Third Avenue & Bury Utility Project – Referendum Mailing & Schedule**

Executive Director McHugh reviewed the mailing schedule for an information piece on the Third Avenue Project and the Utility Burial project, and stated that the intent was to execute the mailing prior to the Easter Holiday weekend. Executive Director McHugh presented a Photomontage he developed to show Before & After perspectives of the Utility Burial project on Third Avenue, which Chairman Turner agreed should be included in the informational mailing.

**Confirm Quorum for upcoming Meetings**

**Next Regular Monthly Meeting – April 02, 2008 @ 6:00 pm (No Closed Session Planned)**  
Executive Director McHugh reminded the group that the next regular monthly meeting of the CDA was scheduled for Wednesday, April 02, 2008 at 6 pm. Chairman Turner informed the group that he would not be in attendance at the April 2<sup>nd</sup> meeting.

**12 Month Meeting Schedule**

Executive Director McHugh presented the 12-month meeting schedule for the CDA.

**Agenda Item Requests**

*No Requests Received.*

**Pending / Future Items - No Pending/Future Items Discussed**

- Mann Brothers/Prairie Tree Landscaping – Erosion Control Bill  
(Tabled by VB @ February 4<sup>th</sup> & March 3<sup>rd</sup> Meeting)
- Environmental Master Plan – East of 67 (Storm Water Management Plan & Trails)
- VOF Storm Water Utility - Research Update (Administrator Hayden)
- Planning & Engineering Proposal – Lakefront Commercial Building
- Fontana FEN – Property Line Delineation
- Crispell Snyder Reimbursement Request: STH 67 Crosswalk Repair Costs
- Program Plan: Industrialization of VOF Compost Operations (DPW Proposal)

**Adjournment**

Commissioner Chanson/Commissioner Turner 2<sup>nd</sup> made a MOTION to adjourn the meeting at 7:02 pm, and the MOTION carried without negative vote.

*Minutes prepared by: Joseph A. McHugh, CDA Executive Director*