

VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN
(Official Minutes)

MONTHLY MEETING of the CDA BOARD OF DIRECTORS
Wednesday, September 2, 2009

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

CDA Commissioners present: Bill Turner, Village President Pete Petersen, Cindy Wilson, Jeff Fisk, Gail Hibbard, Bob Chanson, Skip Bliss

Also present: Al Davis, Library Director Nancy Krei, Village Clerk Dennis Martin, Joseph McHugh, Terry Tavera, Director of Public Works Craig Workman

Visitors Heard

None

Announcements

1. Pig in the Park/Master Plan Open House in Reid Park – **Saturday, September 5, 2009, 4:00 pm**
2. Music in the Park Great Lakes Naval Band Performance – **Saturday, September 5, 2009, 5:00 pm**
3. Plan Commission/Village Board Master Plan Meeting – **Tuesday, September 8, 2009, 5:00 pm**
4. Village Board Monthly Meeting – **Tuesday, September 8, 2009, 6:00 pm**
5. FW/WPCC Board Meeting – **Tuesday, September 8, 2009, 7:30 pm**
6. Finance Committee Budget Meetings – **Thursdays, September 10, 17 & 24, 2009, 5:00 pm**
7. Library Board Meeting – **Wednesday, September 16, 2009, 10:00 am**
8. Park Commission Meeting – **Wednesday, September 16, 2009, 6:00 pm**
9. Congressman Ryan Mobile Office Visit – **Thursday, September 17, 2009, 9:00 am**
10. Read and Romp Program at Public Library – **Thursdays, September 17 & 24, 2009, 10:30 am**
11. Quarterly Newsletter Article Deadline – **Friday, September 18, 2009**
12. Van Slyke Creek Clean-Up Event at Abbey Resort – **Saturday, September 19, 2009, 8:00 am**
13. Protection Committee Meeting - **Monday, September 21, 2009, 5:00 pm**
14. Walworth County Clean Sweep Program – **Friday and Saturday, September 25 & 26, 2009**
15. Public Works Committee Meeting – **Saturday, September 26, 2009, 8:00 am**
16. Special Village Board Meeting – **Monday, September 28, 2009, 5:00 pm**
17. Plan Commission Monthly Meeting – **Monday, September 28, 2009, 5:30 pm**
18. Lakefront and Harbor Committee Meeting – **Wednesday, September 30, 2009, 4:30 pm**

Approval of Minutes for July 29, 2009 Monthly Meetings

Commissioner Bliss/Commissioner Chanson 2nd made a MOTION to approve the minutes as submitted for the meeting held July 29, 2009, and the MOTION carried without negative vote.

Approval of Current Payables

The payables were reviewed and approval was recommended for all the bills except two that were not CDA related and mistakenly listed on the report. One of the bills not approved was for KAS Custom Cleaning, LLC and the other was for beach house employee Nicolette Cimarusti.

Commissioner Bliss/Commissioner Chanson 2nd made a MOTION to approve the payables as submitted, with the exception of the payables listed for KAS Custom Cleaning, LLC and for Nicolette Cimarusti, and the MOTION carried without negative vote.

Finance Report – Treasurer Hayden-Staggs

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

Turner stated that two scenarios were calculated using the most recent increment figures from the state. Turner stated that the updated spreadsheets were reviewed by Jim Mann. The report had previously been based on an annual 1 percent increment increase factor, but Turner stated that is no longer a reasonable projection because of the current economic conditions and the poor housing market. Turner stated that the new increment projection spreadsheets were calculated with a valuation increase for only the Cliffs of Fontana subdivision property, and one with all the potential development figures plugged in for all the other identified TID development areas in addition to the Cliffs of Fontana subdivision. Turner stated that if only the Cliffs of Fontana property is developed in the future, the increment level produces a current surplus balance for the TID of \$885,552. Turner stated that with development numbers plugged in for other areas in the TID, the projected increment level produces a current surplus balance of \$5,569,467. Turner stated that he and Hayden have met with potential developers of TID parcels, and there is interest in working with the CDA on development projects in the future. Turner stated that the spreadsheet numbers can be adjusted as the development plans move forward; however, for the time being, the CDA should make its plans using the conservative estimate with only the Cliffs of Fontana development figures included in the increment projection.

Presentations

Fontana Boulevard Lighting and Landscaping Contract Bid Approval

Workman stated that the Village received two bids for the contract, and PTS Landscaping, Inc., submitted the low total bid at \$457,785. Mann Brothers, Inc., submitted a total bid of \$474,732. Two alternative bids were submitted for the electrical work on the project: Power Tech Electric, LLC submitted a bid of \$183,350, and Rewald Electric submitted a bid of \$123,600. Workman stated that the lighting bid came in at the initial budget; however, fencing and landscaping items that were added to the project resulted in the total bid being about \$155,000 over the project budget. Workman stated that the final numbers for the Third Avenue project utility burial have come in at about \$150,000 under budget, so there are funds available in the approved budget to cover Fontana Boulevard project. Turner stated that the budget is approved on an annual basis using estimated construction cost figures, and the initial project budget did not include all of the items. Turner stated that considering the funds leftover in the Third Avenue Project budget, the CDA should move forward with the Fontana Boulevard project and award the project to the low bidder. Workman stated that he is nervous about awarding the alternative bid for the electric work to Rewald Electric because the bid is substantially lower than the bid submitted by Power Tech and he is not sure Rewald will be able to complete the job properly. Workman stated that Power Tech has worked for the Village in the past and he is confident that their bid is more accurate and that they will be able to complete the job as specified. Chanson stated that the Village should request that the Rewald Electric bid be clarified, but the bid should not be rejected. Chanson stated that if the CDA seeks bids and then does not approve the low bid, there is no sense in even putting projects out for bids. Wilson stated that the specifications provided by Rewald Electric are not even correct and she is concerned if the company receives the contract, the project will end up like the beach fence contract. Turner stated that Workman should meet with PTS Landscaping and go over the Rewald Electric bid to make sure it is correct and that the company is able to successfully complete the work; however, the CDA should approve the low bid, especially considering it is \$59,750 lower than the bid submitted by Power Tech. Fisk stated that ultimately the responsibility for the project being completed in its entirety to the contract specifications will fall on PTS Landscaping and it is not the Village's concern if Rewald Electric submitted an incorrect bid. Wilson stated that she thinks the Rewald bid is a mistake and if approved, the company will cut corners to complete the project. Following discussion, the CDA members were in consensus that the alternative bid for the installation of brick paver crosswalks to run east and west along Fontana Boulevard at Douglas, High and Reid Streets should not be approved; and that the alternative for brick pavers to be installed between the sidewalk and the road in front of the beach should be approved.

Chairman Turner/Commissioner Chanson 2nd made a MOTION to approve the low bid submitted by PTS Landscaping, Inc., and the low alternative bid for the electrical work submitted by Rewald Electric, and to exclude the alternative construction bid for the three east-west crosswalks and the

associated costs for a total contract cost not to exceed \$395,048.10. The MOTION carried on a 6-1 vote, with Commissioner Wilson opposed.

Ruekert-Mielke Engineering Proposal for Preliminary Site Plan for Lakefront Property Redevelopment

Ruekert-Mielke submitted a proposal not to exceed \$10,000 plus reimbursable fees to draft a preliminary grading and site plan for the lakefront building area, to identify the permitting and construction issues for the site plan that need to be addressed in order to meet current regulatory standards and to provide recommendations regarding building setbacks, floor elevations and site drainage. In response to a question from Chanson, Workman stated that he worked with Ruekert-Mielke on the proposal to bring the estimated cost down from an initial \$15,000 to \$10,000. Turner stated that the CDA Board members are in a tough position because they don't want to spend too much on the planning if the proposal is not approved in the required referendum; however, the project architect will need the information to provide a plan and cost estimate that can be approved for the referendum. Turner stated that the CDA also will have to spend some initial money for an architect to draft the preliminary design. Bliss stated that the CDA just needs baseline information from the engineers and architect at this time. Bliss stated that the plans should be drafted to the level where a referendum question can be developed and put to a vote, and nothing more.

Commissioner Chanson/Commissioner Fisk 2nd made a MOTION to approve the engineering proposal for preliminary site plan work for the lakefront property redevelopment as submitted by Ruekert-Mielke, for a cost not to exceed \$10,000 plus reimbursable fees, and the MOTION carried without negative vote.

TID #1 Projects – Public Works Director Workman

TIF Project Maintenance Activity Report

Wilson requested that an item to install seagull protection wires at the beach house be added to the list. Hibbard requested that an item to water the trees and shrubs along the pedestrian path at Triangle Park be added to the list. Chanson requested that an item for the lights to be turned off earlier at the beach house be added to the list, as well as an item to replace the current lights with more energy efficient, less illuminated lights. An item to either add more plantings or erect a new fence between the Little Foot Playground and the Lake Street alley also will be added to the list.

General Construction Updates

The current projects have all been completed and the new projects have yet to commence.

State Highway 67 Landscaping and Irrigation Contract Final Change Order, Certificate of Substantial Completion & Notice of Acceptability of Work

The final pay order was approved at the July 1, 2009 meeting, but the contract close-out documents have not been approved, as recommended by the Village engineer.

Chairman Turner/Commissioner Wilson 2nd made a MOTION to approve the State Highway 67 Landscaping and Irrigation Contract final Change Order, Certificate of Substantial Completion and Notice of Acceptability of Work as recommended, and the MOTION carried without negative vote.

Beach Fence Replacement Contract Pay Request No. 5

Workman stated that the Village will still be retaining \$1,000 on the contract if the \$3,503 Pay Request No. 5 is approved as recommended.

Chairman Turner/President Petersen 2nd made a MOTION to approve the \$3,503 pay request submitted by Century Fence Company for the Beach Fence Contract as recommended, and the MOTION carried without negative vote.

Third Avenue Project Contract Pay Request No. 12

Workman stated that the \$8,516 pay request No. 12 submitted by Mann Brothers, Inc. for the Third Avenue Project Contract is to reduce the total amount being retained.

Chairman Turner/Commissioner Chanson 2nd made a MOTION to approve the \$8,516 pay request No. 12 submitted by Mann Brothers, Inc. for the Third Avenue Project Contract as recommended, and the MOTION carried without negative vote.

Kinzie Avenue Contract Change Order No. 3 & Pay Request No. 7

Workman stated that the \$50,140 change order is to decrease the final contract amount to match the total quantity amounts used to complete the project. With the change order, the contract amount matches the final project quantities. The Pay Order No. 7 submitted by Odling Construction for the Kinzie Avenue Contract totals \$27,585, and approval was recommended by the Village engineer. President Petersen/Commissioner Bliss 2nd made a MOTION to approve the \$50,140 change order to decrease the final Kinzie Avenue Contract amount to match the total quantity amounts used to complete the project, and to approve the \$27,585 Pay Order No. 7 submitted by Odling Construction for the Kinzie Avenue Contract as recommended. The MOTION carried without negative vote.

Porter Court Plaza Contract Closeout Change Order No. 3 & Final Pay Request No. 10

Workman stated that the contract closeout change order calls for a decrease of \$710 to match the total quantity amounts. The \$2,500 Pay Order No. 10 submitted by Mann Brothers, Inc. is the final pay order for the project. Approval was recommended by the Village engineer. Chairman Turner/Commissioner Chanson 2nd made a MOTION to approve the Porter Court Plaza Contract closeout change order and the \$2,500 final pay request No. 10 submitted by Mann Brothers, Inc. for the Porter Court Plaza Contract as recommended, and the MOTION carried without negative vote.

General Business

Bulb Planting at Porter Court Plaza – Memo Submitted by Brad Drefcinski

Workman stated that when the project contract was approved, the purchase and planting of bulbs was eliminated as a cost saving initiative. Workman stated that it was determined that the Village could save funds by purchasing the bulbs directly when the time came to plant them – which is this fall. According to a memorandum from Brad Drefcinski, the Village can purchase 1,500 bulbs for \$230, not including shipping or labor to plant the bulbs. Turner stated that if the CDA purchase the bulbs, the Park Commission volunteers can plant them and save the Village thousands of dollars on the project.

Chairman Turner/Commissioner Fisk 2nd made a MOTION to approve the \$250 purchase of bulbs for the Porter Court Plaza as presented, and the MOTION carried without negative vote.

Report on CDA Projects That Are Saving Municipal Funds

Turner stated that the report has not been completed, but Village Administrator/Treasurer Kelly Hayden indicated it is being completed in conjunction with the annual budgeting process.

Abbey Driveway Proposal – Tabled 7/29/09

Workman stated that the proposed widening of the entrance to the back driveway at the Abbey property off Highway 67 was tabled at last month's meeting so the CDA members could visit the site. Workman stated the proposal submitted by B.R. Amon & Sons, Inc. would cost \$7,300 to widen the driveway to the south and provide more room in the intersection for motorists to turn onto Highway 67. Al Davis, the president of the Abbey Ridge Association, stated that all of the Abbey associations support the proposal. Davis stated that a less costly option that also is supported by the Abbey associations would be to move the current stop sign into a pedestrian path area to create a wider intersection. Workman stated that the proposal to move the stop sign would allow motorists to be driving automobiles in an area currently designated for pedestrians – although the area is not connected to another pedestrian path and is not currently used by pedestrians. In response to a question from Wilson, Workman stated that to install new pavers and move the stop sign would be about \$1,500. Wilson stated that the Village could approve the proposal to move the stop sign and install new pavers at this time for the \$1,500 cost estimate, and if the plan does not work, go with the more expensive proposal to widen the intersection. President Petersen stated that he would favor completing the project right the first time, but he will support either proposal. Bliss stated that if the Abbey property owners already support the less expensive plan, that's what the CDA should approve. Turner stated that the CDA should authorize Workman to spend an amount not to exceed \$1,500 to move the stop sign and install new pavers at the driveway entrance, and to investigate any liability issues.

President Petersen/Commissioner Chanson 2nd made a MOTION to authorize the Department of Public Works to spend an amount not to exceed \$1,500 to move the stop sign on Highway 67 at the back driveway entrance to the Abbey property and to reconfigure and install new pavers as necessary, and to investigate any liability issues. The MOTION carried without negative vote.

Walworth County Economic Development Alliance Services – Update

Turner stated that he and Hayden met with Michael Van Den Bosch, a member of the marketing staff for the Walworth County Economic Development Alliance, and took him on a tour of the potential development site at the Duck Pond. Turner stated that the Village has a gorgeous property and a nice development situation that should be attractive for some type of corporate business. Turner stated the Van Den Bosch indicated he will put together a marketing program for the site and it will be posted on the alliance website and sent out to possible leads. Turner stated that the CDA could consider providing free land and infrastructure to a small company that would be willing to relocate in Fontana.

Village Board Report – Chairman Turner

Turner stated the he had nothing new to report.

Lakefront & Harbor Report – Commissioner Chanson

Chanson stated that the Lakefront and Harbor Committee discussed some lakefront lighting issues at its last meeting and it was noted that the lights at the beach house are very bright. Chanson stated that the lights are also left on until 11:00 pm. Turner stated that the Village should go back and revisit the lighting at the beach house to determine if they should be turned off sooner, and if the lights should be replaced with less illuminated lighting. Workman stated that the Village recently approved the purchase of new more energy efficient lights for the Public Works garage site and the Safety Building. Bliss stated that he has a concern about the amount of congestion being allowed on the lakefront. Bliss stated that this year displays for boat sales were added to the lakefront business properties along Lake Street, and it seems like more boats are barges are being allowed to be moored in the harbor. Turner stated that the boat displays and office barges should be addressed as zoning issues by the Plan Commission and he suggested referring the matter to the Plan Commission. Chairman Turner/Commissioner Hibbard 2nd made a MOTION to refer the issues of lakefront congestion and lakefront merchandise sales displays to the Plan Commission for review to see if the conditions can be approved, and the MOTION carried without negative vote.

Park Commission Report – Commissioner Hibbard

Request for Additional Fence Along Lake Street Alley/Little Foot Playground – Update

Workman stated that the Abbey Resort also received the same expensive price quote from Century Fence Company for wrought iron fencing and he was not able to locate a cheaper supplier. The CDA members were in consensus that some type of fence needs to be erected or thicker bushes need to be planted between the playground and the alley before a child runs into the road and is hurt by a vehicle. Turner stated that Workman should use creativity to get a better quote for the fencing and ask PTS Landscaping for a proposal to add plantings to the area to address the concern.

Confirm Quorum for upcoming Meetings

Next Regular Monthly Meeting – October 7, 2009 @ 6:00 pm

Agenda Item Requests

None

Pending/Future Items

1. 286 Valley View Drive – Façade Improvement Discussion (Canopy Renovation)

Adjournment

Commissioner Chanson/President Petersen 2nd made a MOTION to adjourn the CDA meeting at 7:34 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, village clerk

Note: These minutes are subject to further editing. Once approved by the CDA, the official minutes will be kept on file at the Village Hall.

APPROVED: 9/30/09