

FACILITIES COMMITTEE MEETING NOTES

Wednesday, December 27, 2023

Depot Board Room

Attended: Commissioner Joe Deutsch, Commissioner Vicki Dawson, Susan Faus, Dave Bietz, Broc Lietz, Tony Schmitt, Carolyn Boutain, Stacy Kruger, Kali Mork, Tyler Kirchner, Luke Evenson, Paul Grindeland, Shelley Tollefson, Paul Wixo, Nathan Boerboom (City of Fargo Division Engineer), Tara Nielsen

- **Review request from Southeast Senior Services Board (Richland County) to transfer Southeast Senior Services staff to Fargo Park District employment**

Paul Grindeland and Shelley Tollefson presented. Paul introduced Shelley Tollefson as the new Rural Program Manager for Valley Senior Services. She started in her new position on December 4, 2023.

Paul noted starting in 1993, Valley Senior Services (VSS) began to administer senior services in other counties than Cass in southeastern North Dakota. When a county became affiliated with VSS, the employees currently working in that county became Fargo Park District employees; the only exception has been our relationship with Southeast Senior Services. Currently, VSS administers senior services and public transit in six-counties of southeastern North Dakota: Cass, Traill, Steele, Richland, Ransom and Sargent Counties.

The Southeast Senior Services Board of Director is currently requesting to transfer Southeast Senior Services staff to Fargo Park District/Valley Senior Services employment pending Fargo Park Board approval.

Susan noted that this concept was first brought forward at a previous Facilities Committee Meeting and Fargo Parks Leadership have had on-going discussions concerning the possible on-boarding of Southeast staff.

Commissioner Deutsch asked for clarification on the compensation for the employees that are transferred with employment to the Fargo Park District. Commissioner Dawson said the Fargo Park District will take on worker's compensation and any risk of liability for the employees and asked how many employees will be transferring. There are 18 employees, which includes 6 full-time employees. Paul noted that currently VSS has been paying their salaries, insurance and benefits. Stacy noted that there would also be a long-term disability as an added cost. The employee transfer will have an additional benefit and salary cost of approximately \$28,000 annually. Paul noted the funds that Valley Senior Services receives will cover the cost.

Commissioner Dawson asked about vacation and sick leave benefits. Shelley noted for vacation and sick leave for the employees their years of service would be transferred to the Fargo Park District. They are looking at April 1, 2024 for the date of the merger for the employee transfer and at the end of March 2024, 40 hours of vacation leave would be carried over and Southeast Senior Services would pay out the balance. For sick leave, the employees report their sick leave balance at the end of March 2024. If the employee doesn't have 40 hours to carry over the employee will carry over what they have as a balance.

The transfer of the Southeast staff to the Fargo Park District/Valley Senior Services will complete the consolidation of VSS staff in our region and will allow the Richland County employees to enjoy the same benefits as all other regional VSS staff.

Commissioner Deutsch asked about the process for the transfer of the Southeast Senior Services

employees to the Fargo Park District employment and Paul noted that that this has been a 20 year plus process and the Leadership staff have had many thorough discussions about the process.

The committee recommends moving to the full board on the Consent Agenda for consideration and approval.

Bring to full Board: January 9, 2024

- **Review Memorandum of Understanding Agreement with City of Fargo for Easements and Restoration of Parking Surface at Lemke Park**

Dave Bietz presented. The City of Fargo has requested easements to assemble and store construction related materials upon a portion of the parking surface located at 1000 32nd Avenue South, which is known as Lemke Park, during construction of the lift station. The construction project is anticipated to begin in the Spring of 2024. With the Memorandum of Understanding the Park District also agrees that it will grant to the City of Fargo a street and utility easement allowing construction and installation of the intended cul-de-sac and underground public utilities.

Staff feels there will be minimal impacts to the Park District. The Park District will lose access to the parking lot, but people can park in the adjacent neighborhoods for access to the park. For programming at Lemke Park, a Park It event has been held there in the past in the summer, but it can be moved to a different location in the community. The warming house at Lemke Park is used in the winter months and the parking area would be available to use next winter at the end of the construction season.

Tyler Kirchner reviewed the design for the project and the Park District asked for a trail connection from 32nd Avenue South in through the warming house and to connect to our park trail and the City has incorporated it into their design and plan. Dave feels this is a benefit to the Park District with the replacement of the parking surface at Lemke Park with an estimated cost of \$85,000. Currently this parking lot is not on a schedule for replacement as there are several other priorities within our parking lot repair list.

Dave noted the project will impact two trees, one cottonwood tree and one spruce tree. Sam DeMarais, Park Forester, has said these trees are in moderate to poor condition and removing them to achieve the project is acceptable as long as the City agrees to replant these trees at a two to one ratio in the locations determined by Sam.

Dave noted the easements have been updated since the packet was sent out and provided them at the Facilities Committee meeting as a handout. The updated easements will be included in the packet for the upcoming board meeting.

Commissioner Dawson asked about the tree for tree replacement at any park within the District with a City project that has tree removal in the park and Dave indicated that the Park District is working close in partnership with the City of Fargo and in the future will have further conversations about the significance value of the trees.

Nathan Boerboom gave a clarification that the trail connection is not planned under this project but is planned under the street reconstruction project in 2026. The cul-de-sac portion of the project would not be completed until the construction season of 2026, this is to coincide with the reconstruction of the east portions of 32nd Avenue South. Nathan noted that federal funding is being used for the east portions of 32nd Avenue South reconstruction street project and its with the future phase of the project.

The committee recommends moving to the full board on the Consent Agenda for consideration and approval.

Bring to full Board: January 9, 2024

- **Review Amendment No. 1 to the Rose Creek Restaurant Lease**

Carolyn Boutain presented. Carolyn noted on December 26, 2023, City Commission approved the transfer of the license to CJ's Tavern, so they have a license to serve alcohol and they will be picking up their keys and start preparing the location for opening. They are hoping for an opening at the end of January or February.

Carolyn noted as part of the discussion at the December 2023 Board Meeting, the staff talked about presenting an amendment to the current lease agreement with CJ's Tavern to help clarify assets on both sides of the lease agreement. There are items that each party currently own that could be considered "attached" to the facility including tables and chairs, and kitchen equipment. There are other assets that would fall in the category of "service providing" amenities. The flatware, dishes, glassware, tv, and other items that are needed by the restaurant to provide their services.

The agreement has been drafted by our legal counsel to help clarify the responsible party for the long-term purchase and replacement of those assets. The document defines when the transfer of those assets would take place and Carolyn noted it is scheduled for the beginning of the 4th year of the lease term. At that time an inventory would be taken. Staff recommends that as an appropriate time because the current lease rent payment increases at that time. Also, this timeline provides the tenant an opportunity to establish their business and prove themselves as dedicated to Rose Creek restaurant operations.

A draft of the document has been reviewed by the tenant and there are no changes.

The committee recommends moving to the full board on the Consent Agenda for consideration and approval.

Bring to full Board: January 9, 2024

- **Request permission to bid Yunker Farm Dog Park Project, Anderson Softball Lighting Replacement and 2024 Capital Fencing Projects**

Tyler Kirchner presented. In alignment with our Procurement Policy No. 390, staff is requesting permission to publicly bid Yunker Farm Dog Park Project, Anderson Softball Lighting Replacement, and 2024 Capital Fencing Projects. The budget for the Yunker Farm Dog Park Project is \$750,000.00, the budget for the Anderson Softball Lighting Replacement is \$590,000.00 and the budget for the 2024 Capital Fencing Projects is \$200,000.00.

Tyler reviewed a representation of a design and noted the Yunker Farm Dog Park Project will consist of a new parking lot, fencing, seating, dog waste stations, water stations, shade structures, and obstacle course equipment. This project was identified in the master plan to be moved to the north side of the park. From a strategic perspective, it is crucial to prioritize the completion of this development in sequence, as it must be relocated before other components of the master plan can be executed.

Anderson Softball Lighting Replacement will consist of replacing field lights at Anderson Softball Complex. The project involves the removal and replacement of two to four fields, contingent on the estimates.

The 2024 Capital Fencing Projects will consist of fencing projects at Rheault Farm, South Park Maintenance Shop Yard, and North Softball Complex Shop Yard. Tony presented on the projects. For the fencing project at Rheault Farm, they will be replacing the fence in areas so the fence for the entire property matches. The budgeted amount for the project is \$112,000.00.

Commissioner Dawson asked if the property line issue with the adjacent homeowners at Rheault Farm has been corrected and Dave Bietz noted no. Commissioner Dawson said the Park District needs to make the homeowners aware of where the property lines are, and Dave noted a notification will be sent to the adjacent homeowners in reference to the fence project and incorporate the awareness of the property lines into the communication.

Next, Tony reviewed a diagram showing where a fence will be placed around the North Softball Complex Shop Yard. Commissioner Dawson asked about placing the dumpster in this enclosed area and Dave B noted the staff will look at placing a padded screen around the dumpster area. The budgeted amount for the project is \$28,000.00.

Next, Tony reviewed a diagram showing where the fence will be placed around the South Park Maintenance Shop Yard. It will go around the entire property. It will beautify the area along University Drive. The budgeted amount for the project is \$90,000.00.

Tony noted these projects were identified as a priority within the Park District to improve security and aesthetics at these areas.

Dave B noted that Park Maintenance staff have also cleaned up the Bus Barn Yard area and Tony noted the Park Maintenance staff will be working on cleaning up the area at the Metro Rec Center.

The committee recommends moving to the full board on the Consent Agenda for consideration and approval.

Bring to full Board: January 9, 2024

Consideration of 2024 Park District Maintenance Equipment Bids

Tony Schmitt presented. The 2024 Park District Maintenance Equipment bids were received and publicly opened on Wednesday, December 13, 2023, at 1:00 p.m., at the Park District Office, 701 Main Avenue, Fargo, ND. Tony noted 13 items were budgeted for in the amount of \$902,450.00 for the 2024 Park District Capital Equipment purchases. Total purchase price if all bids accepted as presented is \$874,056.00. Tony also noted that the Park District received a bid on every item on the list. Commissioner Dawson asked if all the maintenance equipment will be received in 2024. Tony noted accordingly to the bid information yes.

After review of the bid information, staff recommends accepting bid package #1 from MTI Distributing, Inc. in the amount of \$609,161.00 and by purchasing the 10 items as a package, versus individually the Park District would realize a savings of \$53,665.

- Item #1 – Toro 5910-D Groundsmaster Rotary Mower w/16 ft. deck in the bid amount of \$158,328
- Item #3- Toro Workman GTX Long Box Utility Vehicle in the bid amount of \$14,973
- Item #5- Toro 4700-D Groundsmaster Rotary Mower w/12.5 ft. deck in the bid amount of \$108,703.
- Item #7 (2)-Toro Greensmaster 3320 Triflex Greens Mowers in the bid amount of \$53,041 for a total of \$106,092

- Item #8-Toro Workman MDX Lithium Electric Medium Duty Utility Vehicle in the bid amount of \$22,551
- Item #9-Toro 5410-D Groundsmaster Reel Mower w/100” deck in the bid amount of \$83,689
- Item #10-Toro Workman MDX Utility Vehicle in the bid amount of \$13,951
- Item #11-Toro Proforce Debris Blower in the bid amount of \$10,242
- Item #12-Toro Sandpro 5040 Sand Bunker Rake in the bid amount of \$31,188
- Item #13-Toro Multipro 5800 300 Gallon Sprayer in the bid amount \$78,170 and 34,939 alternate for a GPS Unit for a total of \$113,109

Accepting the following items from Acme Electric:

- Item #2-Kubota 130 HP 4wd Tractor w/ Normand Snow Blower in the bid amount of \$155,631 and \$1,815 alternate for a side discharge for a total amount of \$157,446
- Item #6- Kubota L5460HST Tractor in the bid amount of \$42,450

Accepting the following item from Butler Machinery:

- Item #4- Snow Wolf Wheel Loader Snow Blower in the bid amount of \$64,999

Next, Tony recapped that \$902,450.00 was budgeted for the 2024 Park District Capital Equipment purchases and if all bids are accepted as presented it is \$874,056.00.

The committee recommends moving to the full board on the Consent Agenda for consideration and approval.

Bring to full Board: January 9, 2024

- **Review permission to apply for a Minnesota Twins Community Fund Grant**

Tony Schmitt presented. Staff is requesting permission to apply for a Minnesota Twins Community Fund Grant in January 2024.

The Twins Community Fund's Twins Fields for Kids program provides financial support to improve baseball and/or softball facilities for youth in the Upper Midwest and Southwest Florida. The program makes matching grants to nonprofit organizations and local government units that operate baseball and/or softball programs.

Matching grants up to \$15,000 are available for the renovation or construction of baseball and/or softball fields used primarily by youth. Eligible renovation projects include the upgrading of essential field components, such as new sod, infield, fencing and dugouts. If awarded, the matching funds would allow for the purchase of players benches for the 2024 softball field dugout upgrade and/or portable pitching mounds for bullpens areas at the baseball fields at the Anderson/Tharaldson Complex.

The committee recommends moving to the full board on the Consent Agenda for consideration and approval.

Bring to full Board: January 9, 2024

- **Review request to advertise for Request for Proposals for sale of Depot**

Broc Lietz presented. At the September 20, 2023, Facilities Committee Meeting, we began a discussion about future action regarding the potential sale of the Depot. In preparation for future consideration of the process of selling, administration recently received an updated appraisal for the

property from Appraisal Services Inc. The appraisal amount is \$1.6 million as of the 8th of December 2023.

We are asking for your direction to seek Request for Proposals for realtor services for the sale of the Depot. Commissioner Dawson asked what the tax assessed value of the Depot is, and Broc noted the staff will look up the information.

Commissioner Deutsch asked what is different about this proposed sale verse other sales that the Park District has done in regards to being clear about the expectations we have about the Depot.

Broc noted if the Park District chooses to put the Depot up for sale, then the Park District needs to decide how does the Park District feel about what potential owners do with the property. The market in downtown Fargo has varied and Broc feels it depends on the market.

Commissioner Dawson asked if there is a list of improvements for the Depot and Dave noted the list of improvements would need to be revisited.

Commissioner Dawson also asked about the Friends of the Depot and Broc noted that those funds stay with the property. Broc noted there hasn't been contributions lately to Friends of the Depot program. Luke Evenson noted the Friends of the Depot funds was initially contributed in partnership with the Friends of the Depot board and the Fargo Park Board and the Friends of the Depot board does not exist now, so staff has talked to FM Area Endowment Foundation and it would be up to the Fargo Park Board to repurpose the funds and the Park District would have to go through their approval process, but if the Park Board approves it we can do that but it is a permanent endowment, so the principal has to stay there and we only get a portion annually that we have to spend on the Depot. The current amount annually is \$3,100.00.

Dave noted the potential buyer would have to abide by what a public entity would have on a historical building, so that would have to be a disclosure during the process. Dave noted it is two parcels and according to the City of Fargo land and building value it is assessed at \$1,656,600.00. There is an easement on the property with Burlington Northern Railroad and that would have to be disclosed also.

In conclusion of the discussion, Broc asked the committee if the Park District wants to sell the Depot and the committee said yes as we have already visited and discussed the sale of the Depot six to nine months ago.

Next, they talked about the time capsule that is located outside at the Depot and it will need to be placed in the process for moving.

After discussion, the committee directed the staff to do further work and put together talking points with parameters for the sale of the Depot and review individually with each Commissioner and bring back to a Facilities Committee Meeting.

- **Review designation of depositories of public funds**

Broc Lietz presented. Broc noted this is a compliance item where the Fargo Park District is required in each even-numbered year to designate depositories as prescribed in NDCC 21-04-13. Broc noted the list the Fargo Park District and Valley Senior Services currently utilizes for financial institutions as depositories for its funds. Broc is asking the board for approval at the next Park Board Meeting.

If there are movement of funds with a new bank, staff would bring the list to the board for approval with the change.

Susan asked if this is a change to the Century Code and Broc said yes. The list of designation of depositories of public funds needs to be approved at a Park Board Meeting.

The committee recommends moving to the full board on the Consent Agenda for consideration and approval.

Bring to full Board: January 9, 2024

Other

Outdoor Warming House Attendants - Commissioner Dawson asked about the opening of the outdoor skating rinks and warming houses and Tony noted the opening of the outdoor warming houses is weather permitting. The staff hired for the positions at the outdoor skating rinks haven't started due to the outdoor skating rinks not opening due to the warm weather. Tony noted staff is working on the ice at Broadway Square and then it will need to be re-flooded. Staff is hoping to re-open the rink at Broadway Square on December 29 or 30.

Commissioner Dawson asked if there is a time that the Park District would decide not to open the outdoor skating rinks due to the warm weather. Dave Bietz noted that the staff has been having the conversations. Dave has submitted a list of outdoor skating rinks that are easier to flood when the conditions are right to Tony and staff.

Tony noted staff is going to start flooding the outdoor skating rinks if it works with the temperatures on December 30.

Commissioner Dawson asked what the Park Maintenance staff are working on currently. Tony noted the staff is cleaning sites, painting the boards for pond hockey, cleaning and hauling items from the shop areas, picking up branches from the recent ice storm and clearing the trails.

Welcomed Paul Wixo to the Fargo Park District. He joined the Fargo Parks Sports Center as the Partner Success Manager in December 2023.

The meeting adjourned at 12:35 pm.

Notes submitted by Tara Nielsen, Executive Assistant