

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
OF THE FARGO PARK DISTRICT OF MARCH 9, 2021**

The regular monthly meeting of the Board of Commissioners of the Park District of the City of Fargo was held on Tuesday, March 9, 2021, at 5:30 p.m. at the Fargo Park District office at 701 Main Avenue, Fargo, North Dakota. The meeting was held via Microsoft Teams. Present at the meeting via Microsoft Teams were Commissioners Jerry Rostad, Stacey Griggs, Vicki Dawson, Dawn Morgan and Joe Deutsch. Also present were: Dave Leker, Broc Lietz, Carolyn Boutain, Brian Arett, Dave Bietz, Kevin Boe, and attorney Jeff Gunkelman.

**Approval Amended Consent Agenda**

Commissioner Jerry Rostad moved and Commissioner Vicki Dawson seconded a motion to approve (1) The minutes from the February 9, 2021 and February 24, 2021 meeting minutes; (2) the February 2021 bills; and (3) the amended order of agenda. Upon call of the roll, the motion passed unanimously.

**Director's Report**

Dave Leker presented to the Board regarding this matter and noted that all major discussion points would be addressed during the meeting.

No action was taken from the Director' Report.

**Foundation Director's Report**

Brian Arett presented to the Board on this matter. It was noted that the City of Fargo approved the annexation of the land that would make up the Fargo Sports Complex and that the Park District had secured an additional \$500,000.00 donation for the sports complex. It was noted that the foundation golf tournament would be held on May 19, 2021.

No action was taken on this matter.

**Approval of Fargo-Moorhead Community Theatre Long-Term Lease Agreement and Proposed Site Expansion**

Dave Leker and Judy Lewis of FMCT presented to the Board on this matter. Judy Lewis noted that FMCT no longer plans to move forward with its expansion plans due to costs. It was noted that FMCT would be moving forward with the existing footprint. It was noted that due to city code, a fire lane would need to be added on the west and north end of the building which would expand the footprint of the area used by FMCT although not the footprint of the building.

Commissioner Vicki Dawson moved and Commissioner Dawn Morgan seconded a motion to approve the Ground Lease Between the Park District and Northern Prairie Performing Arts, commonly known as Fargo-Moorhead Community Theatre, as presented to the Board and contingent upon FMCT receiving signed release from the land use restriction from BNSF and also contingent upon legal counsel finalizing the Agreement. Upon call of the roll, the motion passed unanimously.

### **Approval of Transfer of Restaurant Lease from Big Erv's at Rose Creek to Legends**

Carolyn Boutain presented to the Board on this matter. It was noted that Legends Bar & Grill ownership group has agreed to take on the lease for the restaurant at Rose Creek from Big Ervs. It was noted that staff met with Marissa West and Cody Parr, the Legends ownership group, and agree that they would provide strong leadership for the restaurant.

Commissioner Jerry Rostad moved and Commissioner Vicki Dawson seconded a motion to approve the Assignment and Amendment of the Lease Agreement for the Restaurant at Rose Creek Golf Course as presented. Upon call of the roll, the motion passed unanimously.

### **Board to Consider Funding Scenario for the Fargo Sports Complex**

Dave Leker and Broc Lietz presented to the Board on this matter. It was noted the Park District did a major assessment study which evaluated the 60 major youth/adult user groups, 6 stakeholder focus groups and a public forum meeting to assess the interest and needs of a potential sports complex. The results of the study indicated that the Park District needs a community indoor recreation facility and included the following amenities: walking track, 2 or more indoor turf fields, 8 basketball courts, and future ice. It was note that the Fargo Sports Complex is estimated to cost \$77 million, which includes \$65 million in construction costs, \$6.4 million in construction contingencies, \$5 million in financing costs, and \$850,000 as an annual escalator. It was noted that the majority of the projects in North Dakota of similar nature were funded mostly from the public.

Stacey Griggs noted that the Park District needs to commit to a number that the Park District is willing to fund for the project. Vicki Dawson noted that the Park District has another major project down the road at Island Park and that originally the plan was for the Park District less that what is being proposed. Jerry Rostad noted that if the Park District were to commit 50% of the cost, the Park District would still need to raise an additional \$17 million in private funding. Dawn Morgan noted that if the project is downsized there could be complications with cash flowing the operations and that interest rates are very low at the moment. Joe Deutsch noted that constructions costs only go up when construction is delayed, and that staff needs a firm commitment from the board to accomplish their fundraising goals. Stacey Griggs and Jerry Rostad noted that the public would be receiving a \$77 million dollar project for fifty cents on the dollar and that it would be a great facility for years to come.

Commissioner Dawn Morgan moved and Commissioner Joe Deutsch seconded a motion that the Fargo Park District commit up to \$38.5 million for the construction of the Fargo Sports Complex and direct administration to provide details on a district funding model as needed to determine debt financing needs and timelines. Upon call of the roll, the motion passed unanimously.

### **Board to Consider Funding Scenario for Island Park Pool**

Dave Leker and Broc Lietz presented to the Board on this matter. It was noted that Island Park Pool is 44 years old and that the typical outdoor pool lifespan is 25-30 years. It was noted that current estimates for the remodel and replacement range for \$13 million to \$16 million. It was noted that the Park District received 2500 responses to a survey and had excellent feedback as to the needs and future of the pool.

Dawn Morgan noted that downtown Fargo does not need an amusement park style pool but more of a replica of what is currently in place. Jerry Rostad noted that the park should have diving platforms and

lap pools and that he wants finalized plans on what will be placed at the location. Stacey Griggs noted that staff needs to move forward with a tentative budget for financing purposes and that plans can be finalized after. Joe Deutsch noted that it is the Board's responsibility to recognize what is best for the citizens and to keep that in mind to make sure the pool fits downtown.

Commissioner Vicki Dawson moved and Commissioner Jerry Rostad seconded a motion that the Fargo Park District commit up to \$16 million for the remodel and replacement of the Island Park Pool and direct administration to provide details on a District funding model as needed to determine debt financing needs and timelines. Upon call of the roll, the motion passed unanimously.

### **Approval of Easement with City of Fargo for Flood Mitigation as it Relates to Oak Grove Park**

Dave Bietz presented to the Board on this matter along with Nathan Boerboom from the City of Fargo. It was noted that the City of Fargo needs to construct additional flood mitigation levies at Oak Grove Park. It was noted that the proposed levies would add value to the Park District by relocating the current bike path near the river and tie it into the Oak Grove Park along with replacing the current edging with concrete edging at the playground. It was noted that any trees that need to be cut down will be replaced at a 2 to 1 ratio. It was noted that the City of Fargo is looking to purchase an easement from the Park District to construction and maintain the proposed levy.

Commissioner Jerry Rostad moved and Commissioner Dawn Morgan seconded a motion to approve the proposed easement with the City of Fargo in consideration for \$17,347.00 for the easement at Oak Grove Park as presented to the Board. Upon call of the roll, the motion passed unanimously.

### **Approval of Amendment No. 1 to Land Lease Agreement with Verizon for Cell Tower at Mickelson Park**

Dave Leker presented to the Board on this matter. It was noted that the amendment to the current lease would do the following: (1) extend the lease term by 30 years; (2) the Park District would receive a \$15,000.00 up front payment; (3) annual payments from Verizon and additional carriers would be subject to 3% escalators.

Commissioner Dawn Morgan moved and Commissioner Vicki Dawson seconded a motion to Amendment No. 1 to the land lease agreement with Verizon for cell tower at Mickelson Park as presented to the Board. Upon call of the roll, the motion passed unanimously.

### **Approve and Award Bids for Golf and Park Equipment**

Dave Bietz presented to the Board on this matter. It was noted that staff recommends that the Park District approve the following bids:

#### All Seasons

- Item No. 1 – 2020 Electric Utility Cart with Electric Dump/Carryall 500 Club Car with a bid amount of \$10,210.80

#### MTI Distributing Inc.

- Item No. 2- 2021 Medium Duty Utility Vehicle/Toro Workman MDX with a bid amount of \$10,803.00

- Item No. 4 - Commercial Tri-plex Greens Mower with 14 blade electric reels and additional cutting units/Toro 3320 TriFlex Hybrid with a bid amount of \$53,724.00
- Item No. 5 – Commercial Tri-plex Greens Mower/Toro 3320 TriFlex Hybrid with a bid amount of \$42,450.00
- Item No. 6 – 2021 Trim and Surrounds Mower/Toro Groundsmaster 3500D with a bid amount of \$35,213.00
- Item No. 7 – Light Weight Fairway reel Mower with Five (5) 22” DPA cutting units, minimum 100” width cut/Toro Reelmaster 5410D with a bid amount of \$62,919.00
- Item No. 8 – 2020 72” Front Mount AWD Rotary Mower/Toro Groundsmaster 3200 AWD with a bid amount of \$21,984.00

Swanston Equipment

- Item No. 3 – 2019 New Carryover Hydroseeder/FinnT30 with a bid amount of \$14,950.00.

Fargo Tractor

- Item No. 9 – Two (2) 2021 Model 72” Zero Turn Rotary Mowers/Kubota ZD1211L-3-72 with a bid amount of \$33,740.00 for both.

C&B Operations

- Item No. 10 – 2021 Pull Type Wide Area Rotary Mower/Trimax Pegasus 493 with a bid amount of \$48,995.00.

Titan Machinery

- Item No. 11 – 2021 Tractor with Cab and Front Wheel Assist/Case IH Farmall 75A with a bid amount of \$33,000.00.

It was noted that the Park District budgeted \$364,000.00 for the above equipment and the total price came in at \$331,518.30.

Commissioner Dawn Morgan moved and Commissioner Vicki Dawson seconded a motion to approve and award the Golf and Park Equipment bids as presented to the Board. Upon call of the roll, the motion passed unanimously.

**Approval of Bids for Rose Creek Siding Replacement**

Dave Bietz presented to the Board on this matter. It was noted that the Park District received only one bid for the project but that the bid came in significantly under budget.

Commissioner Jerry Rostad moved and Commissioner Vicki Dawson seconded a motion to approve and award the Rose Creek Residing Project to Lemke Home Improvement in the amount of \$143,120.00 as presented to the Board. Upon call of the roll, the motion passed unanimously.

**Amendment to Lease on Great Northern Park and Great Northern Bicycle Company**

Kevin Boe presented to the Board on this matter. It was noted that the original lease was signed in 2018. It was noted that with the addition of the Block 9 Plaza, the Park District would not have as many events at this Park. It was noted that the owner of Great Northern Bicycle Company, Tom Smith, met with the Park District about wanting the ability to host activities of the own in the park.

Commissioner Jerry Rostad moved and Commissioner Dawn Morgan seconded a motion to approve the Amendment Agreement on Great Northern Park with K&T Property Management as presented to the Board. Upon call of the roll, the motion passed unanimously.

At the conclusion of the above agenda items, a motion to adjourn was made and seconded, and upon unanimous consent the meeting adjourned at approximately 8:00 p.m.

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Dave Leker, Clerk