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To: Board of Education Members  
Dr. Mary B. Pfeiffer, District Administrator

From: Victoria L. Holt, Assistant District Administrator of Central Services, Human Resources *VLH*  
Paul E. Hauffe, Director of Business Service *PEH*  
Jonathan L. Joch, Director of Revenue Enhancement & Business Services Support *JLJ*

Date: July 17, 2012

Re: **Proposal for Establishment of Dog Park on District Property**

At the April 24, 2012 Finance & Personnel Committee meeting there was a memo presented from Winnebago County and the group Friends of Winnebago County Dog Parks Inc. regarding a request to utilize a portion of the District's vacant land for a dog park. The Finance & Personnel Committee requested that Winnebago County and the Friends of Winnebago County Dog Park Inc. bring forward a formal land use proposal to the entire Board of Education at the July 24, 2012 meeting.

This proposal comes to the Board with no recommendation from District Administration.

ROBERT A. WAY / Parks Director - Expo Manager  
ROBERT L. LOHRY / Assistant Parks Director  
VICKY J. REDLIN / Assistant Expo Manager  
Website: <http://www.co.winnebago.wi.us>



**Winnebago County**  
Department of Parks and Recreation  
*The Wave of the Future*

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July 13, 2012

Re.: Proposal for Establishment of Dog Park Facilities on Neenah School District's West American Drive and Irish Road Property

Dear Neenah School District Board of Education Members:

The reason for the development of a dog park is to offer dog owners a place to take their pet(s) for exercise off leash in a safe and secure environment. As a leisure service provider whose mission it is to facilitate the availability of certain properties and structures that aid in meeting the community's recreational needs, the Winnebago County Parks Department has been hard pressed in being able to address the high demand for access to a dog park in the northern end of the county. Public sentiment has steadily grown in and around the Neenah area for government agencies to be active in pursuit of developing dog park facilities. Unfortunately, while this insistence has grown, the availability of viable open space areas on which to establish these sites has continued to shrink.

In light of the aforementioned circumstances, in mid-April members of the Neenah School District's Finance Committee were sent a letter from the Winnebago County Parks Department expressing the county's interest in discussing with district officials the potential for establishing a county run dog park on a vacant parcel of school district property (see Appendix A). The document went on to express how three other municipalities, the Town of Menasha, the City of Neenah, and the City of Menasha as well as a citizen advocacy group, Friends of Winnebago County Dog Parks, Inc. (Friends), are standing ready to assume a strong role in helping facilitate development of a north county dog park. In conjunction with the submittal of a map showing a conceptual design of the facility, paragraph four of the letter provided a narrative of what the parties hope to achieve in the lay-out and development of the lot (see map - Exhibit A).

As the process of considering a county proposal moves before the School Board, the five units involved in this endeavor seek to provide Board members with a more in depth understanding

of the operational measures as well as the financial details that will come into play in transforming the school district's property into a profound asset for the community.

## **Background**

For over 12 years the Winnebago County Parks Department, together with the parks and recreation departments of the City of Menasha, City of Neenah, and the Town of Menasha, have sought to locate a feasible site somewhere in the north eastern portion of Winnebago County on which to locate a dog park. Throughout that time on repeated occasions joint committees and study groups were formed to explore possible candidate properties. The criteria on which these groups based much of their decision making on for determining the viability of a property were as follows:

1. All parcels within the candidate property would be adjoining and cumulatively add up to 9 acres or larger;
2. The land would maintain adequate drainage and contain as little wetland as possible;
3. It would be preferable not to have residential development bordering the property;
4. The property would be clear of environmental obstacles (i.e. hazardous fill materials); and,
5. The cost of the property would not be prohibitive.

Over the course of the search twenty five different properties were reviewed with no satisfactory results until more recently when a GIS search lead to discovery of school district's holdings off of West American Drive and Irish Road.

## **Site Inventory**

For purposes of appraising the West American Drive and Irish Road property as being a viable site on which to establish a dog park, the following observations were made:

1. The site of interest is comprised of 29.8 adjoining acres characterized by having three main features within its surroundings: established crops, vacant field area, and a large wooded lot.
2. Urban roads border the property to the north and east with State Highway 10 delineating the south boundary and cropland abutting the western edge of the site.
3. Except for a homestead situated in the southeast section of the property and intermittent barbed wire fencing, the land is void of manmade structures.
4. Except for the homestead area, the property is void of overhead utilities and there is no apparent evidence of underground utilities contained within the site.



5. A major manmade drainage way has been established in the northwest section of the parcel with the outflow exiting the tract near the midsection of the property.

## **Natural Resources**

A small but noticeable elevation change running from the north upwards to the south end of the property offers a welcome opportunity to have unimpeded views of the surroundings from numerous vantage points. Additionally, within the open field portion there is ample evidence that managers of the property have made an attempt at introducing some sloping into the terrain at key points. This sloping carries with it the benefit of creating what appears to be a well drained surface area throughout the open field. The flat plain on which the woodland lot is established provides an excellent resource for trail development. Although the stand of woods largely consists of mature deciduous stock, great effort will be required in removing a profuse amount of deadfall. The northwest acreage occupied by row crop and a well defined drainage way offers an excellent opportunity for future development as a formalized dog run(s) area.

## **Dog Park Development**

1. It is anticipated that the 3.3 acre parcel located in the northeast section will be dedicated for parking lot use with access points yet to be determined. Lighting options may be explored at a later date. Initially, the lot surface will consist of  $\frac{3}{4}$  limestone with sufficient car stops placed for up to 30 parking stalls. Options for laying a permanent asphalt or cement surface will be explored as funding becomes available.
2. The initial dog park programming facility will encompass the 4.6 acre open field area as well as the 5.4 acre wooded lot area situated directly to the north. The entire site will be encircled using 6 foot tall cyclone fencing. Gate fixtures will be installed at the north end of the site to meet ingress – egress needs. A utility service gate will be erected on the west end of the parking lot.
3. Acquisition of topographical data is needed to determine what if any need there may be for developing a formal drainage plan. Consequently, no contingency is herein made for culverts or contouring to be included in with the initial development.
4. Preliminary examination of the open field indicates the need for a modest amount of fine grading around the perimeter where trail development is intended. The interior region of the open field area will remain largely untouched except for spot filling of holes and depressions as well as minor leveling. Existing open field ground cover will remain and be further supplemented by use of an appropriate turf grass blend introduced through slit seeding.
5. Trails within the open field area of the dog park will be natural surface trails of mowed grass or if serving a dual purpose, crushed limestone. Trail development within the wooded lot will involve brush and limb clearing activities as well as deadfall removal. It

is anticipated that trail surfacing within the lot will consist of wood chips supplied by means of the aforementioned clearing process.

6. Adequate signage will be employed as warranted. In addition, a central kiosk will be constructed a short distance within the perimeter of the site to help disseminate information necessary to impress upon visitors the knowledge that rules will be enforced and that correct etiquette must be followed.
7. No contingency will be included for construction of restroom or shelter facilities at this time. Restroom needs will be met through the contracting of porta-john services.
8. All features within the dog park will be evaluated and adjusted where necessary in order to satisfactorily address provisions for handicap accessibility.
9. Management of the dog park does not include considerations for implementing an admittance fee or permit program at this time.
10. Development costs (list does not include off-sets for in kind support provided by municipalities):
  - a. Fencing and gating of 9.6 acre area - \$45,000
  - b. Parking lot and access development- \$85,000 gravel (+\$55,000 w/pavement included)
  - c. Path installation - \$35,000 (includes contracted removal of deadfall)
  - d. Open field surface prep - \$4,000
  - e. Signage - \$2,000
  - f. Amenities (i.e. benches, kiosk) - \$4,000

TOTAL - \$175,000

## Action Plan

The stewardship of this unique park is best served by a strong partnership between the four units of government and the Friends group. The Friends will be responsible in large part for fulfillment of the funding requirements for this project. Due to the unpredictability inherent in accomplishing the funding goals associated with this large of project, a time frame tied to a list of fundraising activities may not be useful. However, as far as land development is concerned, Winnebago County Parks will construct the dog park facility in the manner described as funding becomes available.

In the interest of providing a reference to what the partners consider as being the most optimistic timeline for development of the dog park project, the following outline is provided:



1. Completion of approval process(es) - October `12
2. Formalizing of legal documents including leases and MOA's - Winter `13
3. Completion of initial part of phased approach towards achieving a fundraising goal of \$136,000 - Summer `13
4. Parking lot, fencing and trail development - Fall `13
5. Completion of second portion of phased approach towards achieving a fundraising goal of \$39,000 - Winter `14
6. Turf development (contingent upon seasonal factors) - Spring `14
7. Grand opening of dog park - Summer `14

## **Fundraising Strategies**

An analysis of the possible funding sources that are available for this type of project reveals there is a multitude of corporate and private grant programs available for consideration as well as various standard fundraising activities potentially including a capitol campaign. Friends will also work towards dispersing information about fundraising needs out to a diverse cross-section of community leaders and area businesses. Additionally, Friends will continue to utilize the base of support already successfully established at the Best Friends Dog Park in Oshkosh as a means of recruiting volunteers willing to actively promote and fundraise for the north side dog park.

Other fundraising options include: Granting of multiple naming rights options, sponsorships, licensing agreements and sale of advertising space (i.e. signage, website, flyers, tee-shirts, etc.)

## **Management of Property**

Based upon the intent to have the dog park open dusk-to-dawn year round, management responsibility for the dog park will in large part be addressed through the combined efforts of the Winnebago County Parks Department and the Town of Menasha. In general, the Menasha Parks and Recreation Department will be looked upon to provide for mowing, trimming and plowing services as well as intermittent monitoring of parking lot and interior park facilities. County Parks Department involvement will entail trail upkeep, pruning and brushing, fence and gate repairs, parking lot upkeep as well as responsibility for addressing drainage issues. Friends will be supporting all above efforts by coordinating park users and volunteer resources in assisting with facility maintenance and operational functions whenever feasible. Lastly, it is anticipated that the Town of Menasha Police Department will provide for law enforcement on the premises.

Management costs:

1. Mowing and trimming - \$2,100
2. Plowing - \$690

3. Facilities monitoring	-	\$200
4. Porta-john services	-	\$3,840
5. Dumpster services	-	\$5,720
6. Limited lot lighting	-	\$880
7. Parking lot upkeep	-	\$500
8. Trail maintenance	-	\$1,200
9. Tree care	-	\$2,000
10. Fence and gate repair	-	\$500
11. Insurance – ancillary cost, if any, paid by the county to list Neenah School District as a named co-insured (cost to county – yet to be determined).		
TOTAL		\$17,630

As part of the partnership formed among the municipalities in an effort to better service the canine owners located in the northern portion of Winnebago County, the City of Neenah, the City of Menasha, and the Friends group will each contribute towards helping off-set the annual cost of maintaining the north dog park facilities. It is intended that formal commitments between the municipalities will be recognized through execution of memorandum of agreements (MOA's).

## Proposal

For purposes of ensuring that a clear statement is delivered as to the direction the county would most favor in putting forth a proposal that addresses use of the West American Drive and Irish Road property as an off leash dog park, the county would submit the following proposal for the school board's consideration:

1. That the area of county interest within the school district's West American Drive and Irish Road holdings include the three parcels which share a common border with Irish Road and made distinct by their respective labels: 3.3 Acres, 2.3 Acres – 2.3 Acres, and 5.4 Acres (see Exhibit A).
2. That the Neenah School District transfer ownership of the above mentioned parcel to Winnebago County free of charge in return for having the school district benefit from holding the naming rights to the property in perpetuity.

Barring the school district's acceptance of the county's initial proposal, a second proposal has been formulated for the school district's consideration.



In the interest of fostering a long-term partnership with the Neenah School District with a unified goal of promoting a beneficial activity that contributes towards healthy lifestyle practices within the family group, Winnebago County wishes to put forth the following proposal for operation of a dog park facility within the school district's West American Drive and Irish Road property:

1. The make-up of this proposal is based upon the premise that Winnebago County will be the principal operator of the dog park facility and as such will be the sole lessee of the property of interest.
2. The area of county interest within the school district's West American Drive and Irish Road holdings includes the three parcels which share a common border with Irish Road and made distinct by their respective labels: 3.3 Acres, 2.3 Acres – 2.3 Acres, and 5.4 Acres (see Exhibit A). It is the county's proposal that it assume the rights granted to it through mutual agreement with the school district as a leaser of the aforementioned property for a term of not less than 20 years. Further it is proposed that the county be obligated to provide in payment for its leasing rights an annual amount of tender equal to the average fair market price of an equivalent 13.3 acre parcel of cropland already established in a crop leasing programming. A preliminary estimate of the annual fee to be applied to the county assumes a land lease charge of approximately \$110.00 per acre of cropland per year. Applying the \$110.00 per acre cost to the corresponding 13.3 acre parcel converts into a lease payment to the school district of \$1,463.00 annually.
3. Given the assumption that the school district may have future intent to utilize the property to address its programming needs, lease arrangements would subsequently include a provision that would obligate the school district to submit through formal process, notification of the district's requirement that the county proceed with preparations to vacate the property within a 3 year period following submittal of said notice. Further, in the event that notification to vacate is submitted to the county within a period of 3 years after the start of the lease term, the school district will be obligated to reimburse the county the full value of improvements introduced to the property. Disallowing the inclusion of volunteer labor and maintenance related activities, all other elements dedicated towards improvement the property shall be counted for as being assets eligible for reimbursement (i.e. costs for materials, contracted construction services, use of in kind resources involving labor and equipment, etc.).

Additionally, in the event that notification to vacate is provided the county following a period beginning the 4<sup>th</sup> year of the lease term and running consecutively to the end of the 15<sup>th</sup> year of the agreement, the school district will be obligated to reimburse the depreciated price of the total value of the county's improvements made prior to the begin of the 4<sup>th</sup> year of the lease term. A formula for instituting a scaled chart

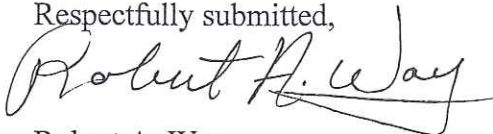


representing the yearly percentage of depreciated value of the improvements shall be reached upon mutual agreement.

4. As part of this proposal the county would request that prior to completion of the initial 20 year term, the school district allow for an automatic 10 year renewal of the lease upon mutual agreement by both parties provided that no outstanding violation of the provisions of the lease exist.
5. Winnebago County would submit for the school district's consideration the desire that the county be granted first rights to pursue land ownership options that may become available for the 13.3 acre parcel. Further, Winnebago County would ask that parallel consideration be granted the county in the event the western 13.8 acre section of property might also be considered for release to a third party interest at some future date.
6. The county would undertake such steps as are necessary to provide adequate insurance throughout the term of the lease or any subsequent renewal of the lease that would include under the General Liability Policies recognition of the Neenah School District, its employees, elected officials, representatives, and members of its boards and/or commissions as "Additional Named Insureds".

The Winnebago County Parks and Recreation Department, together with its sister agencies in the Town of Menasha, the City of Neenah, and the City of Menasha, along with the Friends of Winnebago County Dog Parks, Inc., wish to thank the members of the Neenah School District's Board of Education for their thoughtful consideration of this proposal. It is with extreme anticipation that representatives from the aforementioned organizations will be in attendance at the Board's forthcoming July 24<sup>th</sup> meeting to assist in providing further clarification of the points made and the proposal expressed in this document.

Respectfully submitted,



Robert A. Way  
Winnebago County Parks Director

Enc.

Appendix A

April 16, 2012

Re.: Neenah School District's West American Drive and Irish Road Property

Dear Neenah School District Finance & Personnel Committee Members:

For over a decade the Winnebago County Parks Department together with its sister parks & recreation departments in the City of Menasha, City of Neenah, and the Town of Menasha, have combined efforts in searching for properties on which to place a north county dog park as there is a growing canine population in the area. Currently, Best Friends Dog Park located in Winnebago County Community Park, is the only dog park in the county. Over use of the park causing wear and tear, as well as helping keep our canines safe and healthy, has increased our desire and commitment to locate a local plot of land appropriate for supporting an additional off-leash dog park. Unfortunately, the next closest park is some distance into Outagamie County off of Hwy. 441.

Recently, representatives of the aforementioned municipalities conferred with School District administrative staff regarding the disposition of the district's property bordering West American Drive and Irish Road. As a result of those deliberations it came to light that there may be an opportunity to begin a dialogue with the school district concerning the possibility of establishing a north county dog park on the West American Drive and Irish Road site.

In follow up to the earlier meetings, it was determined that in order to start up a dialogue with the district it would be beneficial for committee members to first be provided with a concept design map showing what the intended use of the land would be as an established dog park (see attachment). The features shown in the design incorporate a sound working knowledge of both the programming and functional needs intertwined with operating a dog park such as the county run facility on the north side of Oshkosh. This knowledge has not only been gained through practical experience over the past twelve years, it has also been acquired through the incredibly strong working relationship built-up between the county and a non-profit support organization, Friends of Winnebago County Dog Parks, Inc.. Through their active citizen involvement the four municipalities have found that they have a formidable partner on board to not only help-out in the search for a dog park, but to also aid in contributing towards its future development and operational costs.

Using the concept design map as the basis for holding discourse in this matter, the representatives of the four municipalities would like initial consideration for location of the dog park to be directed towards the acreage that borders the eastern edge of the district's property, inclusive of the Tall Grass area. Representatives feel that the features and terrain that comprise that particular section of land hold unique promise towards making the dog park a very flexible



user friendly facility. Further, representatives feel that it would also be advantageous to convey an interest in the properties situated immediately to the west in the midsection of the site; the 4.7 acre and 9.1 acre parcels respectively (see attachment). It is anticipated that the volume of patronage expected within the first couple of years of opening the dog park will eventually drive the need to alternate land use areas in order to preserve the quality of the entire acreage. However, discussions regarding the district's long term plans for the west holdings should be considered secondary to first having the parties establish common ground in exploring opportunities for establishing a dog park in the eastern sector.

The representatives of the four municipalities, as well as the Friends of Winnebago County Dog Parks, Inc., appreciate the committee member's thoughtfulness in entertaining the idea of utilizing the district's West American Drive and Irish Road property for use as a dog park. It is with extreme excitement and anticipation that we look forward to hearing from the committee and word of what the preferred approach would be in further exploring this topic.

Respectfully on behalf of Winnebago County, the Town of Menasha and the cities of Neenah and Menasha, and the Friends of Winnebago County Dog Parks, Inc.,



Robert Way  
Winnebago County Parks Director

Enc.



Exhibit "A"

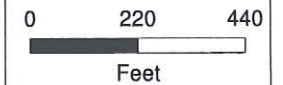


**North County  
Dog Park**

**Irish Road  
Concept Design**

**Legend**

- Light Pole
- ☆ Gated Transition Point
- 🚗 Parking Lot Access
- 🚶 Walking Trail



1 inch = 90 feet

**W.I.N.G.S. Project Disclaimer**  
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Winnebago County  
 W.I.N.G.S. Project  
 February 20th, 2012  
 Loren R Dieck  
 Winnebago County Parks  
 Operations Supervisor  
 The Wave of the Future