

**BUSINESS OF THE CITY COUNCIL  
WINDSOR HEIGHTS, IOWA  
AGENDA STATEMENT**

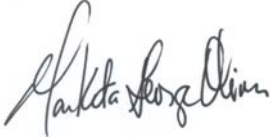
Item No. 13  
For Meeting of 09/07/10

**ITEM TITLE:** Consideration of a resolution approving a letter of agreement with Budget Storage for shared fence for the Windsor Heights Dog Park.

**CONTACT PERSON:** Jason VanAusdall, Public Works Director  
Marketa George Oliver, City Administrator

**SUMMARY EXPLANATION**

The Windsor Heights dog park has been open for roughly a month with usage daily from both Windsor Heights residents and people from throughout the metro. Without the cooperation from Budget Storage, the adjacent property owner, completing the dog park in such a short time frame and budget would have been impossible. Budget storage has requested a simple letter of understanding be signed between them and the city, which is attached, for the use of a shared fence.

<input checked="" type="checkbox"/> Resolution _____ <input type="checkbox"/> Ordinance _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Other (Specify) _____
Funding Source _____
APPROVED FOR SUBMITTAL  _____ City Administrator

**STAFF RECOMMENDATION:** Approve submittal.

**COUNCIL ACTION:**

**RESOLUTION NO. 10-0907/**

**CONSIDERATION OF A RESOLUTION APPROVING A LETTER OF AGREEMENT  
WITH BUDGET STORAGE FOR SHARED FENCE FOR THE WINDSOR HEIGHTS  
DOG PARK.**

WHEREAS, the city's infrastructure, including amenities for citizens and visits is a top priority; and,

WHEREAS, the council has approved the creation of a dog park; and,

WHEREAS, the adjacent property owner, Budget Storage, has asked for a letter of understanding for the use of a shared fence; and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Windsor Heights, Iowa, that the City Council approves the letter of understanding with Budget Storage.

PASSED AND APPROVED THIS 7<sup>th</sup> DAY OF SEPTEMBER, 2010.

\_\_\_\_\_  
Diana Willits, Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Marketa George Oliver, City Administrator/Clerk

**LETTER OF UNDERSTANDING**

This Letter of Understanding between the City of Windsor Heights (henceforth 'City' and Budget Storage (henceforth "Budget") will serve as our agreement on interpretation of the agreement entered into on \_\_\_\_\_, 2010 on matters related to the fence placement at the 'Windsor Heights Dog Park' located on the property south of the freeway, next to the bike trail, west of Budget storage. The Letter of Understanding also serves to address how the City plans to handle maintenance, vandalism and any issues that may arise because of the 'Dog Park'.

The 'City' and 'Budget have come to the understanding that a fence will be placed parallel to the bike trail that is to encroach upon Budget Storages property. The building and fence line of Budget Storage will act as the Eastern barrier for the new 'Dog Park'. The city has agreed to mow/maintain this portion of Budget's property in exchange for allowing the usage of said property.

The city insurance policy will cover any issues that may arise in this 'Dog Park'.

Agreed to this \_\_day of \_\_\_\_\_,  
2010.

Agreed to this \_\_ day of \_\_\_\_\_,  
2010.

**CITY OF WINDSOR HEIGHTS**

**Budget Storage**

\_\_\_\_\_  
Diana Willits,  
Mayor Pro Tem

\_\_\_\_\_  
Eric Linford