



THE CORPORATION OF THE CITY OF VERNON

MEMORANDUM

TO: Patti Bridal, Chief Administrative Officer **FILE:** 6140-20
PC: James Rice, Director, Operation Services **DATE:** May 10, 2023
FROM: Kendra Kryszak, Manager, Parks and Public Spaces
SUBJECT: MARSHALL FIELD – PROPOSED FENCING

On the July 8, 2019 regular meeting Council directed Administration to install a 1.2m high galvanized fence at Marshall Field to separate the soccer fields from the off-leash dog area. To reduce the amount of fencing required, the new fencing ended at the west end of the ball diamonds leaving the baseball viewing area, warm up, and bull pens/pitching mounds within the of leash dog area. This created a conflict between baseball user groups and the off-leash dog users.

Administration has received a number of complaints regarding the uncontrolled interaction between dogs and baseball field users at this location. A number of written complaints are included as Attachment E to this report. Typical concerns that have been raised regarding this issue include:

- not everyone that plays baseball likes dogs
- dogs love to chase/take the baseballs
- some dogs are very aggressive
- some people are highly allergic to dogs
- dogs have urinated all over our equipment/spectator stuff and
- I have stopped playing the sport I love due to this situation

The current situation may create a potential liability issue for the City of Vernon if it is not addressed.

An additional 340m of 1.2m high galvanized fence would be required to complete the delineation between the off-leash dog park and baseball diamonds as shown on Attachment A. The estimated cost to install the fence is \$45,000. The attached letter (Attachment D) from the Vernon Baseball Association indicates that they support the additional fencing and are willing to donate \$10,000 to help fund the project.

The remaining \$35,000 required to complete the fence could be funded by the 2022 Unexpended Uncommitted Balance that has a current amount available of \$2,673,561.

RECOMMENDATION:

THAT Council receive the memorandum titled “Marshall Field – Proposed Fencing” dated May 10, 2023, respectfully submitted by the Manger, Parks and Public Spaces;

AND FURTHER, that Council authorize Administration to install a fence at Marshall Field, as identified in the memorandum titled "Marshall Field – Proposed Fencing" to alleviate the interaction between dogs in the off leash dog park and public spectator areas of the ball field, (Attachment A) at a cost not to exceed \$45,000 to be funded \$10,000 donated from Vernon Minor Baseball and \$35,000 from 2022 Unexpended Uncommitted Balance.

ALTERNATIVE:

1. THAT Council direct Administration to install a fence at Marshall Field to alleviate the interaction between dogs in the off-leash dog park and the public spectator areas of the ball fields as per Attachment B.

AND FURTHER, that Council approves up to \$45,000 from 2022 Unexpended Uncommitted Balance.

2. THAT Council direct Administration to install a fence at Marshall Field to alleviate the interaction between dogs in the off-leash dog park and the public spectator areas of the ball fields as per Attachment C.

AND FURTHER, that Council approves up to \$36,000 from 2022 Unexpended Uncommitted Balance.

Respectfully submitted:



Kendra Kryszak, Manager, Parks and Public Spaces
Attachment A: Original Fence Option
Attachment B: Alternative Fence Concept 1
Attachment C: Alternative Fence Concept 2
Attachment D: Supporting letter from Vernon Baseball Association
Attachment E: Letters from Baseball Users/Spectators
Attachment F: Letters from off leash Dog Park Users

Approved for the Agenda by the CAO

Original Fence Option



330m of new fencing = \$45,000

New 4ft fence installed along the edge of the main irrigated areas

Room for baseball players to warm up

Does not effect irrigation lines

Alternative Fence Concept 1



330m of new fencing = \$45,000

New 4ft fence installed approximately 12m from baseball fence.

Irrigation lines may be effected and heads may need to be moved.

Alternative Fence Concept 2

ATTACHMENT C



270m of new fencing = \$36,000

New 4ft fence installed approximately 9m from baseball fence.

Warm up area for baseball players is minimal.

Irrigation lines may be effected and heads may need to be moved.





Hello Mayor and Council.

The Vernon Baseball Association has discussed the urgent need to adjust the current fencing by separating the dog park from the two Marshall Field ball diamonds. In working with Kendra Kryszak on a solution, the Vernon Baseball Board of Executive is offering to donate \$10,000 to help fund the fencing project and hopefully get the project going immediately.

There have been several unfortunate instances this year where dogs, players and fans have been forced to interact due to the location of the dog park being inside where our spectators take in the game. Dogs urinating on blankets and belongings, taking people's food, chasing players, being aggressive, and running out onto our fields are just a few of the issues. While we fully believe that 99% of dog owners and dogs are responsible and great to interact with, we do feel that the risk is certainly there to have a major incident that no one wants to occur. In addition, we do have players and fans that have allergies and fear of dogs in general. By creating some separation with this additional fencing, we do believe that this risk of an incident will be greatly limited.

As we discussed, Vernon Baseball wants to work together and fund improvement projects that not only improve the safety of our fields but continue to make Vernon a desired destination to host tournaments and bring more people to the city. The scoreboard project and resurfacing projects are great examples of what we can do together to continue to enrich our offering to the community. We are hopeful that this project will be addressed with urgency as our season is ongoing. Thank you for your considerations.

We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Sanfilippo".

Michael Sanfilippo
President – Vernon Baseball

May 11, 2023

City of Vernon
3400 30th Street
Vernon BC V1T 5 E6

To Whom It May Concern:

On Saturday April 29th, 2023, I was sitting at the baseball diamond closest to the parking lot watching my son play baseball. During the game two different off leash dogs peed on the legs of my lawn chair, in my case one owner apologized and the other called their dog away but did not comment on the pee. While the game was happening two other parents had their lawn chair and bag peed on. In past seasons I have seen dogs laying on people's blankets, eat people's food and shake their wet and muddy bodies on people.

In my opinion a fence is needed to keep the baseball diamonds, its players and fans apart from the off leash dog park.

Please do not hesitate to reach out if you have any questions.

Regards,
Tanis Hornhardt

May 4,2023

Dear City of Vernon:

On Monday April 17th my son Lucas and I were attending our first baseball practice of the year at Marshall Fields. Upon arriving at the field - my son grabbed his ball bag and cleats, so both hands were full with gear. We entered the gated off leash dog park area on our way to the baseball diamond located behind the soccer centre (this is the only way to get to the baseball lockup and baseball diamond).

I was approx 30 feet behind him and as he walked to the ball diamond a dog came towards him and continued to jump up trying to grab what was in his arms. He naturally lifted his arms to keep them out of reach and the dog leapt up and bit him in the upper arm. Fortunately, my son was not injured but it was not a good situation. I yelled ahead and the owner said the situation was under control which it clearly wasn't. He tried multiple times to put a leash on it, but it kept running away and coming back to jump on my son. The dog left a large red mark from his teeth on my son's arm. At no point did the owner apologize for the dogs behavior. He continued to walk away from me as he was avoiding confrontation.

We own a dog and understand the need for a dog park but the ball players need a safe way to get to and from their field. We would like to encourage the City of Vernon to install a fence to separate the area used by ball players from the remainder of the dog park.

If you would like additional information, please call me at

Regards

Shawn and Lucas Vandervelde

May 11,2023

City of Vernon
3400 30th Street
Vernon BC V1T 5E6

To Whom It May Concern:

On May 1st our baseball team was practicing at Marshall Fields – U15 diamond (far ball diamond behind the soccer centre). While the majority of the team, including the coaches, were inside the fenced area my son, Luc and another player were practicing pitching/catching in the bullpen area. If you are not aware, the bull pen area is located outside the ball field (part of the combined dog park area/spectator area). Two large dogs approached the boys and became aggressive. The one I witnessed (a large white dog that appeared to be a pit bull cross) was barking and circling Luc and had him pinned against the fence. Another coach yelled over the fence to the owner to get the dogs under control and put them on leash. The owner (in this instance, was a parent that was walking her daughter's dogs) was not able to get the dogs under control. The dogs continued to circle, bark and aggressively pursue my son. After approximately a minute of circling and barking the dogs finally came close enough to the owner and she leashed the more aggressive dog. This was a terrifying incident as the boys were defenceless, did nothing to agitate the dogs and were separated from the group. It is incredibly unsafe to have dogs and ball players/spectators sharing the same space.

This is in no way the first time we have had issues with the combined dog park/baseball diamond. This is Luc's second year of U15 using the ball park and there have been numerous incidents varying from mild annoyance to potentially dangerous. He has another four years of attending this park for baseball and I would like it to be a safe and fun experience for him, his team mates, his coaches and the spectators.

The dog park is very well used, as are the ball fields. I believe installing a fence would work for both user groups. Leaving a large area for ball player/spectators to watch and leave a large area for dogs to run off leash. I would encourage the City to move on this quickly before a more serious incident occurs.

Regards
Jason Gilbert

Hello Mayor Cumming

I am a concerned citizen writing to you about proposed changes to Marshall Fields, in particular the dog park.

My family walks our dog at this park every day of the year, except obviously in extreme weather. For most of the year, this area of the park is the only area being used by citizens and it is always being well used. These are citizens who are enjoying a City park amenity that is meant to provide healthy lifestyle access to everyone with access to all. This is a well loved and well used dog park.

Proposals to fence off areas of this dog park to expand ball playing fields, specifically to fence in the spectator areas that are currently located within the dog park, would significantly shrink the most used area of Marshall Fields city park. This is blatantly unfair to the citizens who use this park all year round, versus the ball fields that sit empty all but a couple months out of the year.

There is an enormous amount of unused space all around the ball fields that would allow for spectator space without taking from the dog park. Rather than spending money installing fences within fences and upsetting citizens who use the park all year, spend the money properly configuring the ball fields so that the areas are properly separated. The space does exist for that. This is the only way to satisfy all the citizens who want to enjoy the park in their active manners of choice.

I can guarantee that if the proposed changes to this dog park do happen, we will have to move on and use a different park, even though Marshall Fields is our favourite and the one we've used daily for the last five years. My feeling is that most of the other dog walkers will as well since our dogs do need adequate space to run and play. When unused by citizens, this area will likely become another horrendous tent city, bordering our cities beautiful playing fields where children play sports. Isn't families outside walking their dogs a much better use of city park space?

Please consider the needs of all the park users in this situation.

Thank you for your consideration

Evette McLellan

Mayor and Council,
City of Vernon
3400 30 Street
Vernon BC V1T 5E6

May 20, 2023

RE: Proposed additional fencing, Marshall Field Dog Park

Worshipful Mayor and Council Members,

It is with a great deal of concern that I address the May 10, 2023 memorandum and recommendation from Kendra Kryszak, Manager of Parks and Public Spaces, to Council, that additional areas of the Marshall Field Off-Leash Dog Park be fenced for exclusive use of the Vernon Baseball Association, and removed from use by the dog-owners of the City of Vernon.

I ask you to consider the following:

1. The off-leash dog area is used during all daylight hours, 7 days per week, for 52 weeks each year by dog owners to exercise and socialize their pets. It is my understanding that the Baseball association uses their diamonds approximately 3 hours weekday evenings and up to 6 hours weekends, for approximately 14 weeks per year. Patently, the proposed additional fenced area has far greater utility each year for dogs/owners than for spectators of the ball games.
2. The existing bleachers in the dog park overlooking the diamonds are grossly under-utilized by the spectators. Often, they are completely unused during games. Instead, the spectators spread out lawn-chairs, umbrellas and blankets and erect large shade-tents in the off-leash area, thereby encroaching on the dog area. Today, May 23, 2023 dog-owners witnessed four large shade tents erected in the off leash area, plus two pairs of spectators playing catch well into the dog-walking area.
3. On several occasions dog-walkers – myself included – have had to duck from foul balls hit into the off leash area. Invariably, the dog owners cheerfully toss those balls back into play, without complaint.
4. Ball spectators complain about dogs chasing balls. They are dogs in a dog park. Dogs chase balls. Why are the balls in the dog-park?
5. Spectators complain about dogs off-leash dogs urinating on blankets and chair legs. I refer to comment 2 above – the blankets and chairs are actually in the off- leash dog area. Dogs urinate everywhere in the off-leash area.
6. I further point out that frequently, after games, we see the dog-park grounds, adjacent to the diamonds, littered by sunflower seed (“Spitz”) shells, which cannot be digested by dogs, with chewing gum, and with uncollected litter.

7. Often, the parking lot gates are left ajar when ball equipment is being returned to vehicles, such that dogs can run out into the parking lot.

8. One letter of complaint, from the Vanderveldes, refers to a dog jumping up at their son's raised arms and "biting" him. (They later note that the "bite" was a red mark, not broken skin). That is truly an unfortunate event, and that dog should have been controlled by its owner, but it was off-leash in a prescribed off-leash area, so caution must be taken by both sides.

9. Our family, like countless other Vernon families, have used Marshall Field Off Leash Dog Park ever since it was designated as such many years ago, and during that time the number of aggressive interactions between dogs and humans could be counted on fewer than the fingers of one hand. When dogs are off-leash, they are calmer and more placid and patently less-aggressive.

I respectfully suggest the following:

1. That spectators make use of the existing bleachers, already there for their exclusive use.
2. That shade-tents be allowed but be erected adjacent to the existing fences, rather than being erected further into the park or behind the bleachers, as is done presently (and from which the games cannot be easily watched)
3. That all park users – ball players, spectators and pet owners – collect all of their trash and use the numerous containers provided.
4. That the access gates be shut after entry and exit.
5. That spectators respect that they are sitting in a dog park, not a ball park.

I submit that fencing the proposed additional areas of the dog park is unfair to the majority-users of the park and creates a loss of amenity, and \$45,000 of unnecessary expense. I therefore ask Your Worship and Council to carefully consider the overall negative ramifications of installing the proposed additional fencing, and reject the proposal.

This beautiful parkland area can be happily and readily shared by both types of users and pet-owners and ball fans can co-exist with a little co-operation, without creating additional physical separation.

Yours truly,

Peter Moore (47 year resident of the City of Vernon)

Peter Moore Ltd, CPA, CA.

City of Vernon,
To whom it may concern:

Re: fencing proposed for Marshall field ball diamonds.

I will start by explaining, we are daily users of the dog park at Marshall field. We totally support the addition of fencing to separate the viewing areas for the baseball diamonds. However looking at the proposed location of the new fence, I have some concerns:

1. The new proposed fence will eliminate the main gate entrance that is primarily used and accessed thru the on leash grass area
2. A large percentage of park users, walk to the park and many park closer to OK Ld Rd.
3. This will force all users to access the dog park from the single gate at the end of the parking area. Whether they drive or walk to the park, they will be forced to go into a very busy parking lot, thru all the cars coming and going. Currently many people who drive to the park, with their dogs will immediately take their dog onto the on-leash grass area and then go thru the larger gate and avoid the parking lot altogether. Please think of seniors with their small dogs having to navigate the entire busy parking lot (especially on baseball days) with their dog(s).
4. Another reality that does happen is many dog owners will use the separate entrance to avoid larger dogs if they have smaller dogs. This new fencing proposal puts all users thru the same gate, and thru the parking lot.
5. I think a solution is to maintain both entrances with a corridor from the larger gate (closer to OK Ld Rd) into the main part of the dog park. This will require a small amount of extended fencing and a new gate into the fenced off ball diamond viewing area.
6. Secondly, the areas that will be eliminated from the current dog park area. The area between the 2 diamonds, and beyond the 2nd diamond, I believe is very excessive and also eliminates a very large portion of the dog park. There are 2 very well used paths currently. The upper bench (which appears to be mostly eliminated with the new proposed fence) and the lower path along the creek. The only path that will remain, is the path along the creek. Again many dog park users like to separate walking from larger and smaller dogs. (Not to mention more playful or aggressive dogs). The proposed fencing will put all dog park users thru a much narrower corridor, eliminating a large portion of the dog park.
7. I believe the attached sketch of the revised fencing location will satisfy both groups.
8. I hope the city can recognize how many daily users of the current dog park there are and that it gets utilized 12 months a year. I personally believe if the fencing is installed as proposed, there could be numerous complaints from the dog park users for the restricted, and eliminated, areas it creates. As the city continues to grow in population, especially with all of the new development happening in the Okanagan Landing area. I foresee the dog park getting more use and should not be reduced in size any more than absolutely necessary. Not to take anything away from the baseball players and spectators, but there are only 2 diamonds and that means only 4 teams at a time for the foreseeable future.

Regards,
Steve Mahon