

## MINUTES

AGENDA OF THE WORK SESSIONS OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, HELD ON TUESDAY, MARCH 6, 2018, AT 5:01PM IN THE COCHISE COUNTY BOARD OF SUPERVISORS HEARING ROOM, 1415 MELODY LANE, BUILDING G, BISBEE, ARIZONA.

THE MEETING WAS CALLED TO ORDER BY MAYOR SMITH AT 5:03 PM.

### ROLL CALL

#### **COUNCIL**

Councilmember Anna Cline, Ward III	Excused
Councilmember Joan Hansen, Ward II	
Councilmember Frank Davis, Ward I	
Mayor David M. Smith	
Councilmember Bill Higgins, Ward I	
Councilmember Douglas Dunn, Ward II , Mayor Pro Tempore	
Councilmember Gabe Lindstrom, Ward III	Excused

#### **STAFF**

Robert E. Smith, City Manager  
Ashlee Coronado, City Clerk  
Albert Echave, Police Chief

#### **CITY ATTORNEY**

Britt Hanson

THE FOLLOWING ITEM WAS DISCUSSED AND/OR CONSIDERED AT THESE MEETINGS:

1. Discussion and Direction regarding changes to the City Animal Code, including the addition of provisions regarding Feral Cats.

David M. Smith, Mayor

Mayor Smith said that this had come about from many different sources. In going back and researching some of this we have found that our own city codes didn't always agree with the state codes and they needed to be brought into compliance with those state codes. Some of these proposed changes have to do with that. We also have issues that have come up in different areas of Bisbee in reference to feral cat populations. He believed that they were typically identified as colonies. The last he knew we had about 12 different colonies throughout Bisbee.

Mr. Hanson, City Attorney said that when the issue of feral cats came up a couple of months ago he was asked to look at the city code to see what we might be able to do. It became pretty evident that our animal code is way out of date; it was inconsistent with state statute in many areas. It could stand to be reorganized so that it was more readable. Practices have changed over time and how we deal with animals was inconsistent with the way it was written in the code.

He stated that he had been working on a draft and that most of the changes shouldn't be controversial because it really was just bringing our code up to date. Everybody recognizes that this was a quality of life issue and maybe even a public health issue given

the degrees of concentration in some areas. What they were able to come with conceptually was an approach that would be adding to the code something called the colony caregiver program. It has been implemented in many parts of the country and he thought even one out in the county. The Colony Caregiver Program basically works with the ultimate end goal was to humanly treat the feral cats but at the same time get them spayed and neutered so that they can't reproduce. This eventually over time would reduce the population. At the same time those cats that are spayed and neutered somebody takes responsibility for care and feeding and also trapping them to get them to the shelter to be spayed and neutered.

The Colony Caregiver Program in most places recognizes that cities or counties don't have the amount of resources or the ability to be everywhere where the feral cats are. What it does was gives residents of the community who are interested in the program an opportunity to sign up as a caregiver for them. It would make sure they get trapped and spayed and neutered through the shelter. The other part of this was to make sure the caregivers are doing what they are supposed to be doing. Under the Colony Caregiver program typically there was one organization given responsibility to be what's called a sponsor of the caregiver program and here naturally that would be the Friends of the Animal Shelter.

The sponsor has people sign up to be the caregivers and the sponsor gives them instructions on how to go about doing it. They make sure that they keep following up, that they are given the traps when they are needed and that they don't trap at the wrong time.

Mayor Smith asked for clarification regarding the state presently says that an animal taken into custody will be spayed or neutered was that correct. Mr. Hanson stated that was correct.

Mayor Smith stated that they were discussing rabies vaccinations for all animals when they are picked up. He brought this up because it was confirmed as of today that a fox that was picked up in Brewery Gulch a couple of weeks ago was in fact rabid. It was extremely important that our animals be vaccinated against rabies.

Mayor Smith stated that Mr. Hanson and Ms. Galligan and he talked about the requirements of rabies vaccination being in here as well as spayed and neutered correct. Mr. Hanson stated that was correct. They also talked about microchipping both dogs and cats when they come into the shelter and are released. Mayor Smith felt that it was really important that we microchip these animals it would provide positive identification or as close as we can get to positive identification of these animals.

Councilmember Davis asked how we would identify the feral cat owner. Who becomes the owner the person that trapped them? Mayor Smith said that the first time around they will have to have some type of prove that was there animal.

Mr. Hanson said that the feral cats would not be actually owned by any individual they would be managed by the Colony Caregiver and they'd be identified once it had already been spayed and neutered and chipped.

Councilmember Dunn asked if we then were releasing the cat or are we holding at the animal shelter for adoption. Mr. Hanson stated that it could go either way, but given that they are feral cats they would be spayed/neutered, chipped and notched they would be returned to where they came from. It could be possible that people could adopt the feral cats. The main gest of this would be to return them to the colony.

Councilmember Dunn asked about the cost of the treatment coming from the city budget. Mayor Smith said “No”. The City isn’t paying any money on this. The Friends would be paying for the spayed/neuter and they will be recouping the cost from the individual that picks up the cat. If it was a feral cat then and nobody picks it up it will be released back to the colony and the Friends have absorbed that cost.

- Gene Conners, Bisbee resident stated that this was a bad issue with cats in neighborhoods and asked several questions. Mayor Smith stated that they were looking at a long term solution. Mayor Smith also stated that he understood Mr. Conners concerns and we are attempting to solve the problem.
- Ron Staley, Bisbee resident stated that trapping was causing this issue. Mayor Smith asked Mr. Staley questions regarding his cats. Mr. Staley answered those questions.
- Kelly Galligan, Bisbee resident and President of the Friends of Bisbee Animal Shelter gave some background on the Colony Caregiver Program. She stated that the Friends will pay all the fees; between the grant money and the store they can cover expenses.

Mayor Smith asked Ms. Galligan how many feral cats do you estimate was in the Brophy Colony. Ms. Galligan said she would guess about twenty-five (25). He also clarified that there were four (4) dead cats found on Brophy. Ms. Galligan stated “Yes”. He asked if they were feral cats. Ms. Galligan said that as far as she knew yes.

Mayor Smith asked Ms. Galligan if we had an illness going through the colony on Brophy. Ms. Galligan said that it was hard to say. She said that the idea was once the colony was being managed the population would dwindle over time.

- Marie Erspamer, Bisbee resident spoke in support of trapping, vaccinating and Spaying/ neutering cats. This was a public health issue. She was concerned about the level of cat population in her personal neighborhood, but also throughout Bisbee.
- Gregory McQuaid, Public Health Emergency Preparedness Coordinator for Cochise County, stated is was his job to track rabies and to track the health of our citizens. He also responds when there were health concerns and health emergencies. He stated that trapping, vaccinating, spaying and neutering was very effective. He stated that rabies is 100% preventable in domestic animals and in humans.
- Dwayne Wallace, Bisbee resident spoke regarding his experience with trapping and spaying / neutering cats when he first moved here.

- Dick Hannigan, Bisbee resident, brought up the possibility of unintended consequences and that was the rodent population. He asked if the cats keep the rodent population down. He brought that up as an FYI.
- Ron Staley, Bisbee resident said he did agree with spaying / neutering. He would be willing to take on a caregiver responsibility.

Mayor Smith said that we need to bring our statutes into compliance with the state statutes and we need to address the feral population situation which was not just a Ward I issue it was in every Ward.

Mayor Smith said that their suggestion was that we take a look at this cat Colony Caregiver Program and to direct staff in a short period of time get back to the Council with and the work may be done right now.

Mr. Hanson asked when the next council meeting was. Mayor Smith said that it was in two (2) weeks. Mr. Hanson said he could have the draft at that time. He said it would be a broad revision of the animal code including those provisions (spaying/neutering, vaccinating and microchip), and feral cat colony caregiver program.

Mayor Smith said based on that they could talk to volunteers and see if they want to do it.

Mr. Hanson asked for clarification from Ms. Galligan if somebody traps on their property or with permission and took it down to the animal shelter do they currently have the ability to do the spaying / neutering and chipping, notching. He wanted to make that clarification so they didn't have to wait until a formal ordinance to start dealing with the problem.

- Ron Staley, Bisbee resident asked what the cost of spaying / neutering was and if there was supposed to be financial benefit from that. Mayor Smith said that you hope that you get enough money in to take care of it. Some of it was done with grant money which they have very strict reporting for how the money was spent.

Mayor Smith thanked everyone and hoped that they had an opportunity to discuss it and that we are actually moving forward to a solution.

MOTION: Councilmember Higgins moved to adjourn the meeting.

SECOND: Councilmember Hansen

MOTION PASSED: UNANIMOUSLY

ADJOURNMENT: 6:12pm

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David M. Smith, Mayor