



MINUTES OF WORK SESSION OF THE COMMON COUNCIL OF YOUNGTOWN, AZ

THURSDAY, November 15, 2012, TOWN CLUBHOUSE, 12033 CLUBHOUSE SQUARE

1. Call to Order Mayor LeVault called the meeting to order at 6:38 p.m.
2. Roll Call: Council present: Mayor Michael LeVault, Vice Mayor Jacob Duran, Councilmembers Margaret Chittenden, Dorena Mello, Shirley Gustafson, Susan MacKay and Judy Johnson. Staff present: Town Manager Lloyce Robinson, Town Attorney Kelly Schwab; Library Manager Heidi Speed, Public Safety Manager Mike Kessler, Public Works Manager Jim Fox, Economic Development Manager Gayle Cooper and Deputy Town Clerk, Stacy Anderson
3. Business
 - A. Discussion Re: Waterfowl at Maricopa Lake including estimated costs and criteria for reduction in population.
Town Manager Robinson
 - I spoke with Arizona Game & Fish for additional information and spoke with Russ Files, Urban Management, and he informed me that the migratory waterfowl travel from Canada to Argentina every fall and stay in areas along the way.
 - The Mallard ducks, whether they are domesticated or not, are protected along with their eggs. Coots and Canadian Geese are all protected along with their eggs by the Federal Migratory Bird Act. However, "farm ducks" and pigeons are not protected and may be removed at any time.
 - The USDA Wildlife Services can remove the pigeons and unprotected waterfowl at a fee. Pigeon removal is \$47.00 per hour at an estimated 4 hours costing approximately \$188.00. Unprotected waterfowl is estimated at \$500.00 with the use of a sedative.
 - There are several methods used to reduce the population. A drug sedative would be used on unprotected ducks, protected waterfowl will be relocated by Arizona Game & Fish and unprotected waterfowl could be sent to a habitat and pigeons could be relocated or euthanized.
 - At the G.A.I.N. event last month, 16 citizens stated that we need to keep and feed the ducks while 2 citizens cautioned to feed correct food and not just bread.
 - The Wildlife Services recommends reducing the duck population in February of next year.
 - Mayor LeVault
 - Why would we pass an ordinance to prohibit feeding the ducks? Who would enforce it?
 - Town Manager Robinson
 - MCSO would have to enforce it.
 - Mayor LeVault
 - I would rather see MCSO out patrolling the streets than issuing citations for feeding the ducks. Do we want to do this every spring?
 - Town Manager Robinson
 - The last time a reduction of the duck was prior to 2006.
 - Staff suggests that the Town remove the pigeon's ASAP and publicize in the Youngtown Village Reporter about not feeding the pigeons. However, as June Miller says, they will come back.
 - My recommendation follows that of the USDA Wildlife Services is to schedule a reduction of the waterfowl population in February 2013 and Council pass an ordinance prohibiting feeding all waterfowl at the Lake. By not feeding the ducks it will retrain them and that will help to reduce the population. Passing an ordinance is unpopular and controversial, but will put teeth in the enforcement.
 - Today while in the Mendez Building I saw a picture of the lake in the early 1980's that was loaded with ducks. At that time the Council was considering closing the lake.

Councilmember Johnson

- When was the last time a reduction was implemented?

Town Manager Robinson

- The last time a reduction of the duck population was prior to 2006.

Councilmember Johnson

- Maybe we don't need to do this every year. Reading the minutes from the last meeting I noticed that feeders were placed and removed because of vandalism and then not replaced. I agree that MCSO should not be enforcing this if an ordinance is passed.

Councilmember Chittenden

- When was it last done?

Mayor LeVault

- June Miller is in the audience. June do you remember when it was last done?

Resident June Miller

- The last time it was done was in 1999. Has a survey been done that includes the residents around the entire lake?

Town Manager Robinson

- This issue is just not an issue that affects the residents around the lake. This is a Town issue.

Councilmember Chittenden

- Do they put a net around the entire lake?

Public Works Manager Fox

- The most common method is to feed the ducks food that has been laced with a tranquilizer. The tranquilizer lasts about 15 minutes. The ducks are gathered and put in crates then transferred to vehicles. The rest of the birds that are not gathered wake up and usually fly away.
- The contractor that we choose would use this method.

Councilmember Chittenden

- This method should be done and not relocated every year.
- I do not think that an ordinance should be done at this time. MCSO should be patrolling the streets and not duck patrol.
- Post signs asking the public not to feed the ducks and advertise in the Youngtown Village Reporter as well.

Councilmember Mello

- I agree not to do an ordinance at this time because it would be non-productive. MCSO should not be taking care of the ducks.

Councilmember Gustafson

- If the eggs are protected would Game & Fish come and pick up the eggs if residents pick them up?

Town Manager Robinson

- The eggs are protected as well as the birds. It is a Federal law not to disturb the nests as well.

4. Public Comments

Resident Jim Trollen

- I took pictures today and there were 42 ducks on the lake just today.
- The ducks are fine but they do present other problems. They are dirty and pose a health issue to residents.
- I have brought in 2 sample bottles of the Lake water. One is the surface water and the other is the water in the bottom of the Lake. The water needs to be tested. Thus will show if the Lake is polluted.
- On the path around the Lake the gravel has been washing down to the embankment and collects droppings. Can the pathways been cleaned up?

Mayor LeVault

- If the duck population is thinned would you be satisfied?

Jim Trollen

- Yes

Councilmember Mello

- Looking at the photos that you presented, most of the ducks are Mallards. Arizona Game & Fish will have to relocate them.

Resident Jim Trolen

- Game & Fish has been very vague in their answers and have said that the ducks are our problem.

Town Manager Robinson

- We need to address this as a Town issue. Mallards are migratory birds and are protected.
- The Arizona Game & Fish stated that our lake is a beautiful urban lake with a few Mallards.

Mayor LeVault

- We will bring in Game & Fish and they will do what is legal.

Town Manager Robinson

- This is our issue and professionals will need to be involved.
- USDA Wildlife Services is who we will use.

Councilmember Johnson

- Only domesticated animals can be removed. Private companies know what animals can be removed.
- How do you tell the difference between protected ducks and domesticated?

Councilmember Chittenden

- When do the wild geese come in?

Resident Jim Trolen

- The geese are here year round.
- The habitat for these birds is where your kids play and where we have picnics.

Mayor LeVault

- We will bring in professionals if this is what we decide to do.
- The Lake was designed to be a retention basin. All pollutants end up in the Lake. Things that we can do to clean up the Lake will cost money.

Councilmember Gustafson

- The Lake has been tested and they say that it is fine.

Resident June Miller

- Jim Fox is right. This is how they took the ducks out the last time. They were out for about 15 minutes. This thinned out the duck and geese population.
- The ducks need to be thinned out because the Lake is too small to handle that many ducks.
- When ducks get white feathers in their other feathers they are considered domesticated.
- In order to control the pigeons you either need to poison them or shoot them. You can't shoot them because you can't shoot a firearm within Town limits and you can't knowingly poison them.
- You can't please everyone. One neighbor feeds the ducks because they are "God's creatures" and the other neighbor are mad because the poop in their yard.
- Mallards and geese fly in and out usually in the fall.
- I agree that the path is horrible.
- No way to get rid of the pigeons, just too many of them.
- Stop feeding the ducks. The only way to stop that behavior is to fine them.

Resident Betty Trolen

- I see the Council laughing about this problem. We are serious about this problem. Please thin out the ducks yearly. This will be less of a problem around the Lake and less of a problem in the neighborhoods around the Lake.
- Use the Youngtown Village Reporter to educate citizens about not feeding the ducks.

Resident Bob Ferrara

- These birds are not migratory birds. Most of the ducks are resident ducks.
- Try signs and education first before passing an ordinance.
- I have a 2 part zero dollar solution. Game and Fish said that the ducks were domesticated and that maybe 12 were migratory. The rest are resident ducks. Game & Fish are riding the fence and threw it back in our lap. They are resident ducks.

Councilmember Johnson

- Pat Crouch stated that we have a beautiful urban lake that is well maintained and that there are domesticated ducks living there. He did not say that all ducks were domesticated.

Resident Bob Ferrara

- Most of the ducks are resident ducks.

Mayor LeVault

- These people are professionals. We will bring in Game & Fish and they will do what is legal.

Resident Bob Ferrara

- Back to my zero dollar solution. #1 – Get a clear statement from Game & Fish and #2 - Remove the eggs. Migratory ducks do not lay eggs here. These ducks are resident ducks and residents should remove the eggs with the ok from Game & Fish. The Town does not have to pay to have the eggs removed. The Town can pick up the ducks.

Mayor LeVault

- We are not qualified to distinguish as to what ducks are domesticated or migratory.

Councilmember Mello

- I recommend to the Council to bring in a team of professionals to thin the population at the Lake, and then we will not do anything illegal.
- Do not adopt an ordinance.
- I will be willing to donate signs stating not to feed the ducks.

Mayor LeVault

- I would recommend at this time to the Council to bring in a team of professionals to thin the duck population at the Maricopa Lake and not adopt an ordinance at this time.

Councilmember Chittenden

- People don't understand why we should not feed the ducks.
- I would like to have the feeders brought back to the Lake.

Mayor LeVault

- I am directing the Town to bring in professionals to thin the duck population.
- Install signs for less than \$1,000 to ask the public not to feed the ducks.
- Place educational articles in the Youngtown Village Reporter about why not to feed the ducks.

Vice Mayor Duran

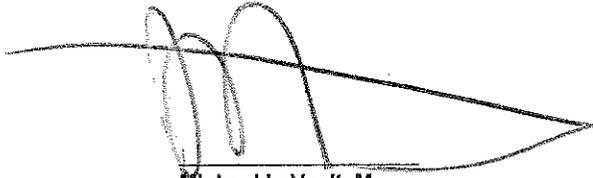
- People are not going to read the signs. We need to educate them not to feed the ducks. Talk to residents and let them know the reasons behind not feeding the ducks at the Lake.

Adjournment.

Motion to adjourn – Councilmember Chittenden

Second – Councilmember Mello

Meeting adjourned at 7:29 p.m.



Michael LeVault, Mayor

Attest:



Stacy Anderson, Deputy Town Clerk

Minutes approved at December 20, 2012 regular meeting