

CITY OF MCCLEARY
Regular City Council Meeting
Wednesday, March 22, 2017 at the Community Center

ROLL CALL AND FLAG SALUTE	Councilmembers Orffer, Richey, Peterson, Blankenship and Ator were in attendance.
ABSENT	None.
STAFF PRESENT	Present at the meeting were Todd Baun, Wendy Collins, Chief Blumer, Randy Bunch, Paul Nott and Dan Glenn.
PUBLIC HEARING	None.
MAYOR'S COMMENTS	Mayor Schiller announced that he moved the meeting to the Community Center because he understands the topic for discussion tonight is sensitive to most people and he expected a large turnout. After the presentation, he will open the meeting up for public comment. He set ground rules for comments making the limit five minutes per person. At the end of the agenda, there will be another opportunity for public comment.
PRESENTATION	<p>Representatives spoke on behalf of the proposed mental health facility moving into the Mark Reed Hospital site. Todd Broderius from Great Rivers Behavioral Health, Linda Reese and Cameron Coltharp from Telecare Corporation and Jim Preston from Telecare Pierce County gave a presentation on what type of mental health facility will be moving in there and provided information on security and what the culture will be like for patients who are brought there. Renee Jenson from Summit Pacific Medical Center also spoke in support of the Great Rivers Behavioral Health clinic along with Grays Harbor County Sheriff Rick Scott and Hoquiam Police Chief Jeff Myers.</p> <p>Linda Reese reported that Telecare has been in business over 50-years. They are both family and employee owned. They operate four ENT, (Evaluation and Treatment Center's), facilities in Washington. They are not a substance abuse center, a flop house or provide homeless people a shelter. They are specifically a mental health facility.</p> <p>Grays Harbor County Sheriff, Rick Scott, spoke in support of the facility. He said there is no place for these people in the County. They are not criminals so jail is not a proper placement and they cannot be held in a hospital. This is the type of facility that is vitally needed for our County.</p> <p>Hoquiam Police Chief, Jeff Myers, reiterated what Sheriff Scott stated. As a public servant, he deals with these type of people that suffer from serious mental illness and they need a place to help them become stable. This facility provides a unique opportunity to help these people. If this facility was opening in Hoquiam, he would be in full support of it. He said they cannot continue to detain mental health patients in emergency rooms because it is against their constitutional rights. The hospital cannot treat them with medications and must release them back into the community after doing nothing to help them become stable. They need a safe place to go that provides the medical treatment they need. We need a facility in Grays Harbor that serves Grays Harbor residents. He said it is a concern from the law enforcement standpoint. They have the crisis clinic in Hoquiam that they have to respond to. There was a woman that was not treated properly for mental health and over time, she eventually stabbed someone and killed them. He said this person was not treated for mental illness and it ended very badly. They need a facility to treat these people.</p> <p>Cameron Coltharp addressed the type of facility this will be. He said they are a lockdown facility that protects the patients from the community more than it protects the community from the patients. They will have high security windows that are multi pane but do not have bars. The doors will be metal and wood framed with magnetic door locks. They will install a security fence with a residential-type appearance that will typically be ten-feet tall. The fence will not be a prison yard fence. They added that they sometimes provide security for a facility, however, it is unusual to have security inside their program. There is no actual limit for how long a client can stay. Fourteen-days is not the actual limit and they could run longer, if needed. The facility inside is a residential style facility more than an institution style. The residents will have common areas and it will feel more like a home during their stay.</p>

Linda Reese continued stating there will be a "no restraint" culture and staffing is at least 4 clients per 1 staff ratio, with daytime hours almost a 1-1 ratio. They train their staff with certified crisis prevention training and provide the clients with "minimize treatment", meaning they are not hands-on. When the police are called, which is rare, it is typically because one of their clients wants to press charges against somebody or they want to interview someone regarding a past incident. Their properties have a 14% readmission rate within 30 days.

Jim Preston stated one of the tools that they use is they establish a rapport with their clients and believe the best security is to treat them with dignity and respect. They have clients that are shocked at how kindly they are treated. Zero restraint is their goal and zero readmission is also their goal, although they don't always achieve that. Cameron Coltharp added that there are three reasons for being placed in an involuntary facility; they are a threat to themselves, they are gravely disabled or they are a potential/perceived threat to others.

Telecare is a private mental care service provider. They are contracted with BHO. Great Rivers received the grant from the Department of Commerce to use the funds to remodel the building. They are also the ones that fund these services so they put out a RFP for someone to run the facility on a day-to-day business, because that is not what they do. They are contracting with Telecare to run it. Great Rivers will own it but Telecare will be operating it.

Todd Broderius stated they signed a 25-year lease with Summit Pacific Hospital and acquired a two-million dollar grant for remodeling the building and bringing it up to current code standards. The grant money is not for operations. They stated they operate on a three-to-four million dollar annual budget. The contract between Great Rivers and Telecare is open-ended with an opportunity to opt out if either side decides to end it, with advanced notice.

Cameron Coltharp responded this will not be a volunteer or walk-in clinic. Linda Reese stated the clients will be taken back to the location they came from when they are released. It is not court-ordered to do this, it is their own policy to do this. They try really hard to be a good neighbor. They do not allow people to be loitering around. They generally install some type of fence covering for the privacy and dignity of their residents. When they are outside in their courtyard, it should be invisible to the local community. She added that property values actually go up, not down, when they move into an abandoned building. This is due to the fact of the improvements and having it operational compared to an un-kept and abandoned building. Todd Broderius added there is not a step-down facility intended to be located in McCleary.

The Satsop business park was considered as a location, however, it would have cost more to prepare the building. The Mark Reed site is already set up as a hospital so minimal changes and improvements are required.

Grays Harbor County cannot promise they will respond immediately if something happens at the new facility. Historically, when something happens in McCleary, they send deputies to assist as backup when they can. The facility will not provide security or help fund another McCleary Police Officer for added protection. Telecare did provide a security officer in another new facility for six-months and found they didn't need to continue paying for it because it was not needed.

Renee Jensen spoke in support of the facility being placed in McCleary. She spoke about mental illness and the challenges of finding locations for helping those suffering from mental illness in Grays Harbor. Summit Pacific Hospital cannot treat mental illness patients. They treat physical illness, not mental health illness, which limits them to anything they can provide for this type of patient. McCleary has this beautiful opportunity that is a gift. She said the hospital has no skin in this game. They leased the Mark Reed site for \$275.00 per year and there is no money to be had. Her intention was to be good partners with McCleary by bringing in new jobs, bringing new commerce and to support coffee shops, restaurants, and gas stations. She wants this community to be growing and vibrant and she believes this is the best use of tax payer's money. She added the Council has an opportunity to make a difference by helping people get better and she begged them not to turn their backs on those in need.

The hospital did not add this facility to the Summit Pacific Center because the new Wellness Center that is planned is a revenue-generated facility. The hospital cannot receive funds for behavioral health because they are strictly serving physical health. They operate and fund completely different. They could not rent to a mental health facility because that type of business could not pay the rent to operate it. It would not be cost-effective. The Mark Reed site will be ready after minimal improvements.

The process for getting a patient to the mental health facility will start with an officer taking the patient to Summit Pacific Hospital, or another hospital, for stabilization. After the doctor has stabilized them, they are then transported to a mental facility where a bed is available. If a bed is not available, the hospital is obligated to assist them for 72 hours before releasing them back into the community. There is no limit on the length of stay at the mental health facility, if a longer stay is needed. Their intent is a short stay, however, there are occasional times when someone is on a legal hold, they will have to stay until the legal release is provided.

Cameron Coltharp urged the City Council to table the decision for the zoning definition changes tonight. When asked why he objects to the decision on the definitions, he replied he didn't understand why they were only changing the definitions of a hospital and residential treatment facility without making changes to the zoning code itself. Councilmember Blankenship said the definition we have is outdated. Mayor Schiller added that yes, it is outdated, but he also believes Todd Baun, the Public Works Director, told them in their meeting in May that we were in the process of updating our zoning definitions. Mr. Coltharp didn't remember hearing that but it doesn't mean Mr. Baun did not say that. Councilmember Blankenship stated at the workshop he asked for an impact study for the resources of the City and Mr. Coltharp responded that they have not done that. He wasn't aware if that would be part of the process. Todd Broderius believes the impact of the City is being discussed tonight in person. Councilmember Blankenship said their experiences for impacts are on big cities, not for a City of our small size. That is comparing apples to oranges.

Cameron Coltharp is confused about the process they are going through because he was not aware in May that they would have to go through any specific process. The perception was that it was a permitted use. Councilmember Blankenship said that the only information the Council received was from last week. Prior to that, they had no information. He believes the call was initiated by Joy at Summit Pacific Hospital on the information that was taken from a City Council Meeting that started the snowball affect. He believes Great Rivers and Telecare have kept the City in the dark. Renee Jensen said she could not release any information until a provider was selected.

Councilmember Blankenship understands the need for this type of facility in the County but he has great concern over it being put in an R-1 residential zone. Also, to hear the representatives tonight say the decision to put it there is solely based on a financial reason causes him even more concern. Renee Jensen believes it might be beneficial for the Council to go visit some of the facilities so they have a better understanding of how they operate.

PUBLIC COMMENT

Mayor Schiller commended the Council for their great questions and involvement. He opened the floor to public comment and reminded everyone to not exceed five minutes per person.

Gary Atkins has an Aunt who is bipolar and mentally unstable and he has noticed over the years that she mentally comes and goes. He doesn't want to see this program here and he feels we are being railroaded into it. He worries that when people are in the program for 30 days, they will come and hang around town to try to get back in for another 30 days. McCleary, a town of 1600, will have more riffraff people hanging around. A year ago he and his Mother-In-Law were mooned by a mentally unstable person. Today, he got back into town and the same guy was picked up and taken away. Mr. Atkins asked, "If you can't cure an alcoholic in four days, how can you cure a mental ill person in four days?" He does not want this in his community.

Laura Vaughan is confused and will try to remain respectful as she responds. She listened to everyone that spoke tonight and stated you can put lipstick on a pig and it is still a pig. Her backyard borders this facility and she is scared for her kids. She said most of her questions have been answered so she wants to ask about the lack of guarantees. Who will guarantee her kids safety? She heard the people state there have been no instances but another person stated they have responded to them so she sees it as conflicting information. She wants to see the proof of their claims. She said this is all about money for them but what will they do to keep her family safe? She loves her community, neighborhood and home. Now she won't feel safe and won't be able to teach her kids to ride a bike on the street. She heard the representatives say they are really good at what they do but where is the proof and how will they guarantee the safety of her children? She said they have not provided any type of proof. She asks the Council not to table the vote tonight. This is only about money for them. What jobs are they going to provide for our town? They will bring people from the outside to work. It won't actually employ McCleary people. There are not enough police to handle this and she worries about the safety of our small Police Department.

Kathy Elofson has lived here along time. She cannot say if she is for or against it, but knows that about 40-years ago, McCleary missed out on the Shelton prison. McCleary is bad off and everything is going downhill. She has foster children in her home and had an incident recently and it took more than an hour for a response. The officer told her he could drive the foster child to Olympia but would just have to let her out. Even though she is only fourteen-years old, he could not go in with her. She thinks we need a facility like this. She doesn't live next to it but believes there is a need. McCleary is dying. It used to be a place where everyone local worked at the school and other businesses but now you don't recognize anyone.

Fred Ortquist doesn't understand this because three-years ago, the City was going to condemn the hospital but now it's uncondemned. He doesn't understand this. The streets are not even being fixed and there is no legal sewer system on that street and there is no storm drain either. He was told the City does not have the money. He has had sewer issues for years now that are caused by tree roots. The taxpayers are not going to pay for another boondoggle.

EXECUTIVE SESSION None.

MINUTES APPROVED **It was moved by Councilmember Ator, seconded by Councilmember's Peterson and Richey to approve the minutes from the March 8, 2017 meeting. Motion Carried 5-0.**

VOUCHERS Accounts Payable checks approved were 42465 - 42533 including EFT's in the amount of \$212,886.28.

It was moved by Councilmember Ator, seconded by Councilmember Peterson to approve the vouchers. Motion Carried 5-0.

CITY ATTORNEY REPORT Dan Glenn stated the first issue tonight is to address the definitions amendment then the next step is referring a zoning classification to the hearing examiner. Tonight is very limited on what action can be taken. In Growth Management Cities (GMA), they are mandated to allow mental facilities with conditional use. Grays Harbor County is not a GMA County so the mandate does not affect McCleary.

Dan Glenn received a call from the legal council for the BHO and his position is that under the City's current hospital definition, this would be a permitted use. Mr. Glenn respectfully disagrees. He believes this type of operation does not include the characteristics as defined as a hospital even under the existing code.

Councilmember Orffer is getting conflicting information because she is being told that this is a permitted use and now Mr. Glenn is telling her it is not. She asked which is correct? Dan Glenn stated that they were told that Mr. Baun, at a meeting, indicated that. He said Mr. Baun, at a prior meeting, indicated that that is incorrect.

DIRECTOR OF PUBLIC WORKS
REPORT

Todd Baun stated the original meeting they had in May when it was presented as a residential treatment facility, which under our current definition for a hospital is so vague that it could fall underneath our current definition for a hospital, he felt. That is the point when he asked for guidance on it. Councilmember Blankenship asked Todd to confirm that this was a meeting conducted on May 9, 2016, which the Council was not made aware of the contents of that meeting and Todd confirmed that is correct. Mr. Baun went through the meeting timeline to remind the Council of when the steps took place. After September 2016, he provided the Council with a packet on residential treatment facilities, information was also shared at the workshop in October 2016, and it was mentioned at a Council meeting. Between May 9th and September 14th, he did not have any contact with anyone other than getting something from the Department of Commerce.

POLICE CHIEF BLUMER

None.

AMEND MMC ZONING CODE

The Council has in their packet the recommendations from the hearing examiner; add a definition of "residential treatment facility", change the current definition of "hospital" and reduce the current time that a legal nonconforming use may continue being discontinued from 4 years to 1 year [MMC 17.36.020(D)]. No comments were made.

NON CONFORMING USE AND
STRUCTURES

This was addressed at the same workshop as the definitions amendment and has been discussed in detail. No comments were made.

CASH HANDLING POLICY AND
UTILITY BILLING POLICY

Wendy Collins reported the State Auditor gave a recommendation to implement policies for cash handling and utility billing. To fulfill that requirement, and remain compliant, these policies are being introduced tonight for the Council to review. They are processes and procedures to ensure public resources are safeguarded and to keep strong internal controls. Staff will ask for the Council to approve them at the next meeting.

ZONING CODE DEFINITIONS
ORDINANCE

It was moved by Councilmember Blankenship, seconded by Councilmember Richey to adopt Ordinance 830 RELATING TO ZONING, AMENDING SECTIONS 17.12.010 AND 17.36.020 MMC, PROVIDING AN EFFECTIVE DATE AND FOR SEVERABILITY & CORRECTION. Roll Call taken with Councilmember's Blankenship and Richey voting in the affirmative and Councilmember's Orffer, Peterson and Ator voting against. Ordinance Failed 3-2.

Mayor Schiller commended the Council for their hard work on this process and knows this was a tough vote. They will continue to work on it and hopefully get a resolve because it's in the best interest of the citizens of McCleary. He knows this is going to be a very emotional subject. He has no standing either way on this and is looking forward to hearing more from the providers. Mayor Schiller has to go into homeless camps for his day job and it's not a fun task. They have to have law enforcement present because they are worried about the safety of his employees. It's a long, hard trail ahead for the Council, but they will come together and find a solution.

Councilmember Blankenship wanted to add that tonight's decision is not based on whether the facility goes in there. It was simply to update our out-of-date definitions. He thinks the voting decision tonight was a wrong. We have an outdated definition of a hospital. We do not have a definition for a residential treatment facility and we are going to have to revisit this again after spending a large amount of time working on this.

PUBLIC COMMENT

Donna Neary has lived on Birch Street for over 20-years and has not had to lock her doors at night until now. She will not feel safe anymore. She heard the presenters say they have not had any significant issue at their current facilities. She wants that defined because what may seem insignificant to them may be very significant to her. She has never felt so helpless in a situation as this. Her elderly neighbors feel the same way. She will do whatever she has to do to fight this situation.

Alice Larson said she manages Crisis for Grays Harbor County. She moved to Ocean Shores in May and this is her new community. She loves how people work together to make things happen. This is the first time in her career that she has dealt a lot with homeless people. She helped open the shelter in Aberdeen during the cold weather and found the people are not treated humanely. They have people outside screaming bloody murder outside the facility. That is not what will be coming to McCleary. In her current situation, she can read them their civil rights and detain them. She cannot do her job because she cannot find a facility in the State to take them. She has a 12-hour window to find a place for treatment. If she gets new evidence, she can restart that 12-hour window. There are people that are not being treated and this new facility is one big part that can start making people's lives better.

Councilmember Richey asked her if some of the people placed in these facilities have criminal records and she replied that some do. She said a lot of the criminal activity is disorderly conduct, stealing from the store because they are hungry and others will break a window just to get arrested so they have a warm bed for the night. Councilmember Richey believes the criminal element and the danger element is being brushed over tonight. He believes the term used earlier of it being lipstick on a pig is a little rough but it does seem that everything is being presented a little flowery. She agreed and said she is on the front line and there are some pretty sick folks out there. Sometimes they do well and sometimes they don't. She thinks we can start to help by providing a safe place for them. It will also help prevent suicides because they will have a place to go and get the proper help they need.

Councilmember Blankenship agreed with her but still believes that placing this in a neighborhood is not the best location when there are other options available. Ms. Larson understands his position.

Fred Ortquist reiterated his statement on fixing the storm drain and sewer system. He has been fighting city hall for 55-years now.

Laura Vaughan wanted to know if the sewer and storm drain improvements are part of the renovation project. Mayor Schiller said they have not seen a site plan and as of now, that is putting the cart before the horse. Ms. Vaughan asked when their target date of opening is and Mayor Schiller said they are going back to the drawing board and still have work to do so he doesn't have an answer.

MEETING ADJOURNED

It was moved by Councilmember Ator, seconded by Councilmember Richey to recess the meeting at 8:44 pm. The next meeting will be Wednesday, April 12, 2017 at 6:30 pm. Motion Carried 5-0.

Approved by Mayor Brent Schiller and Clerk-Treasurer Wendy Collins.