

CITY OF MCCLEARY
Regular City Council Meeting and Council Workshop
Wednesday, January 10, 2018

ROLL CALL AND FLAG SALUTE Councilmembers Orffer, Huff, Heller, Blankenship and Iversen were in attendance.

ABSENT None.

STAFF PRESENT Present at the meeting were Director of Public Works Todd Baun, Clerk-Treasurer Wendy Collins, Officer Tom Arnold, Chief Blumer and Attorney Dan Glenn.

PUBLIC HEARING At 6:30 pm the Public Hearing opened regarding temporary zoning to permanent zoning.

Dan Glenn provided two versions of the ordinance. One version is the one the Council adopted as the emergency ordinance and the other is the same, with the addition of language specifying where the agency transports a client when they are released. The added language states they will be returned to the point of origin.

Just prior to the meeting, Great Rivers submitted a letter stating, "They are concerned that the new language in the second version may be contrary to applicable state or Federal law or healthcare regulations, including those that already govern patient discharge practices. For these reasons, the proposal may be unworkable for applicable providers. They recommend the City enact the Version A of the ordinance, which will make permanent the code provisions already in effect on an emergency basis, and under which the City issued Great Rivers Behavioral Health Organization's existing Conditional Use Permit for the Mark Reed Hospital property."

Conversation ensued regarding the legality of this language. Mark Bollinger of Great Rivers stated if they picked someone up in Spokane, whom actually resides in Elma, they would not transport them to McCleary for treatment and force them to return to Spokane. They would return them to their residency, which in this case, would be Elma. They would transport the resident to their County of residence.

The Council was confused because the language used last spring by Great Rivers during one of the Council meetings, affirmed that after treatment, residents would be transported back to where they came from. The specific details were not shared so the Council did not have any other information to draw from other than that specific statement. They were only told that residents will be returned to where they were transported from. The community's concern is to not have any residents released in town to freely walk around without any place to go.

Chief Blumer asked Mr. Bollinger if a resident came to the door of the clinic and volunteered to be treated and somehow walked out on their own, can the McCleary police detain them and bring them back? Mr. Bollinger assured him this would not happen. Officer Arnold stated he has seen people climb fences in a facility in Lakewood and if that resident had been voluntarily committed, the police could not detain them and return them to the facility. In the event that happened in McCleary, the police could not detain them unless they were committing a crime.

Mark Bollinger stated that most of the residents will be involuntary but it is possible to have voluntary residents. He added, both types will be returned to their county of residency when released, not county of origin. .

The Public Hearing closed at 6:49 pm.

EXECUTIVE SESSION None.

MINUTES APPROVED **It was moved by Councilmember Iversen, seconded by Councilmember Huff to approve the minutes from the meetings held on December 13, 2017. Motion Carried 5-0.**

VOUCHERS Accounts Payable checks approved were 43672 - 43737 including EFT's in the amount of \$191,598.19 and 43738 - 43770, including EFT's in the amount of \$53,534.86.

Payroll checks approved were 43642 - 43671 including EFT's in the amount of \$83,760.53.

Bank reconciliation for December 2017.

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

PUBLIC COMMENTS

Tanya Beavers and Karen Waddington, Bear Festival Co-Chairs, spoke on behalf of the Bear Festival Committee. They had an emergency meeting last night to discuss Lakefair, Olympia's festival. Lakefair scheduled the same weekend for their fair as the Bear Festival. A Lakefair member contacted Tanya Beavers and informed her they made an error in scheduling and have set everything for their festival on July 14th and 15th, which is a week earlier than they normally hold their annual fair. The Bear Festival decided they would have to move their fair to the weekend of July 7th and 8th, if they want a successful festival and parade. They believe most participants will attend the larger Lakefair festival and parade if they were held on the same weekend. It is detrimental to the Bear Festival to not have to compete with a larger fair and parade. Ms. Beavers and Ms. Waddington spoke with the car show chairman and the baseball teams and they were all on board with moving the festival up one week. Mayor Schiller said the City will do everything they can to accommodate them. The Bear Festival will print new banners and take other measures to notify the community and participants of the change of date.

Karen Keinenberger from Timberland Regional Library spoke on behalf of a new program offered at the library. The library is offering Microsoft certification testing for free, which is a \$100.00 savings.

MAYOR COMMENTS

Mayor Schiller welcomed the new Councilmembers and asked them to tell a little about themselves.

CITY ATTORNEY REPORT

Dan Glenn provided a written report for the Council.

DIRECTOR OF PUBLIC WORKS
REPORT

Todd Baun stated Brad Lott and the public works crew did a fantastic job on removing the old paneling, painting and updating the council chambers.

Councilmember Blankenship asked Todd Baun what the status is on the sidewalk that Doyce Dragt was supposed to correct. Todd explained Doyce, and the contractor that ripped the sidewalk out, are having issues so we are stuck in limbo until they figure things out. Councilmember Orffer asked if the City gave them a timeline. Todd said we did and the time has past the deadline. Mayor Schiller asked if we can cash her colateral check and legally move forward on fixing it. Dan Glenn and Todd will work together and move forward on having the City fix the sidewalk.

FIRE DISTRICT 5 AMBULANCE
SERVICE

Mayor Schiller has provided an updated version to the ongoing negotiation discussions with Fire District 5. Provisions were made for annual adjustments during the five-year term with a cap to the minimum and maximum adjustments. **It was moved by Councilmember Huff, seconded by Councilmember Iversen to authorize the Mayor to sign the contract with Fire District 5 for ambulance services. Motion Carried 4-1 with Councilmember Blankenship voting against.**

DRAFT CRITICAL AREAS
ORDINANCE (CAO)

Todd Baun, Paul Morrison and Dan Glenn have been working on an update to the City's Critical Areas Ordinance (CAO). The last update was adopted July 2003. A draft version was provided for Council to review and will discuss at the next meeting.

DRAFT DEVELOPMENT
INCENTIVES

A draft development incentives ordinance was provided for the Council to review and will be discussed at the next meeting.

MOBILE HOME CODE UPDATE

Dan Glenn will provide an updated draft at the next meeting.

MAYOR PRO TEM
APPOINTMENT

Each year, the Council appoints a Councilmember to serve as Mayor Pro Tem in the absence of the Mayor. **It was moved by Councilmember Iversen, seconded by Councilmember Blankenship to appoint Councilmember Orffer for Mayor Pro Tem. Motion Carried 5-0.**

FINANCE COMMITTEE APPOINTMENT	The finance committee has two Council appointees to serve along with the Mayor, Clerk-Treasurer and Director of Public Works. Councilmember Orffer will continue serving and the Council is asked to appoint someone to fill the vacancy for Pam Ator. Joy Iversen volunteered to serve. It was moved by Councilmember Blankenship, seconded by Councilmember Heller to appoint Councilmember Iversen to the Finance Committee. Motion Carried 5-0.
EVERGREEN CONSULTING GROUP CONTACT	The City receives performance payments from BPA to cover internal customer administrative costs incurred in support of energy savings activities. Evergreen Consulting Group provides program management and operaton support for CMC's Commercial and Resdential Energy Efficiency Programs.The City has worked with Evergreen Consulting Group for several years and staff is requesting Council to authorize the contract to continue working with them. It was moved by Councilmember Blankenship, seconded by Councilmember Huff to authorize the Mayor to sign the contract with Evergreen Consulting Group at no cost to the City. Motion Carried 5-0.
CONNECTIONS CONTRACT	The City has had a contract with Children's Advocacy Center for many years. They recently changed their name to Connections. Again, staff is requesting the Council to authorize the contract to continue working with them. Chief Blumer stated this is a great program that has benefited our community and he will provide more information about the program for anyone interested. It was moved by Councilmember Iversen, seconded by Councilmember Huff to authorize the Mayor to sign the contract with Connections. Motion Carried 5-0.
ORDINANCE 838 CHANGING TEMPORARY ZONING TO PERMANENT ZONING	<p>After a lengthy discussion between Mr. Bollinger, Dan Glenn and the Council, they agreed to modify the language. Councilmember Orffer suggested modifying the language to state, "No resident shall be released from residency without having motorized transport present which shall be utilized to return the resident to their place of residency, county of origin, or alternative treatment facility unless the resident's regular residential location is within the City's corporate limits".</p> <p>It was moved by Councilmember Orffer, seconded by Councilmember Heller to adopt Ordinance 838, AN ORDINANCE RELATING TO ZONING AFFIRMING THE AMENDING OF SECTIONS 17.12.030 AND 17.36.020 MMC IMPLEMENTED BY ORDINANCE 834 UPON AN INTERIM BASIS AND PROVIDING FOR SEVERABILITY AND CORRECTION and to change the verbage in Section 2, H, 2b, to read, "No resident shall be released from residency without having motorized transport present which shall be utilized to return the resident to their place of residency, county of origin, or alternative treatment facility unless the resident's regular residential location is within the City's corporate limits". Roll call taken in the affirmative. Ordinance Adopted 3-2 with Councilmember's Iversen and Huff abstaining.</p>
PUBLIC COMMENT	Mayor Schiller stated he will move forward on the union negotiations with Councilmember Blankenship and not add a new Councilmember, with the departure of Councilmember Ator. It will be too difficult to bring someone in at this stage, especially when it's going into mediation.
EXECUTIVE SESSION	None.
MEETING ADJOURNED	It was moved by Councilmember Huff, seconded by Councilmember Blankenship to adjourn the meeting at 8:15 pm. The next meeting will be Wednesday, January 24, 2018 at 6:30 pm. Motion Carried 5-0.

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