

**CITY OF MCCLEARY**  
**Regular City Council Meeting**  
**Wednesday, April 12, 2017**

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 and Dan Glenn.

PUBLIC HEARING None.

EXECUTIVE SESSION None.

MINUTES APPROVED **It was moved by Councilmember Ator, seconded by Councilmember Richey to approve the minutes from the meetings on March 15, 2017 and March 22, 2017 meeting. Motion Carried 5-0.**

VOUCHERS Accounts Payable checks approved were 42537 - 42577 including EFT's in the amount of \$119,369.44.

Payroll checks approved were 42440 - 42601 including EFT's in the amount of \$237,708.82.

Bank reconciliation for March 2017.

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

MAYOR'S COMMENTS Mayor Schiller will allow five minutes for each public comment this evening. He understands the mental health facility is a hot topic and he wants everyone to have their opportunity to speak, however, he still has a business meeting to conduct so the comments will be limited. He stated that at the last meeting, some comments got a little heated and he wants to remind everyone to keep things civil and no one needs to yell. He asked everyone to treat each other fair.

PUBLIC COMMENT Helen Hamilton spoke regarding the assessed value of the hospital. She thinks it was \$888,000 and stated you can't exceed over half of the assessed value for improvements. They have two-million dollars that is supposed to go for improvements, not operating expenses, which goes above the allowable amount. She asked if this was correct and Dan Glenn responded by stating he understands the hospital will be a tax exempt operation. Todd Baun said in our municipal code it states, "An existing nonconforming structure, and it's equipment or fixtures, may be repaired if the value of the repair does not exceed 50% of the assessed value from the structure, as determined by the county assessor for the year the work is to be done". Dan Glenn will do some research on Ms. Hamilton's question and provide an answer for her.

Gloria Hale informed the Council that the McCleary Community Group did a poll on the mental facility and out of 131 responses, 98 of them were against placing the mental facility in the residential neighborhood. Only 25 voted for the facility and 8 people were undecided.

Marc Bollinger is the Chief Executive Officer for Great Rivers Behavioral Health, which is the funder for the McCleary hospital site. He asked the crowd whether, in the three years prior to now, when the hospital was running as a hospital and clinic, were these issues ever brought up? Dan Glenn stated he assumes Mr. Bollinger had spoken to the hospital district attorney because their attorney asked him the same question today. Mr. Glenn said he recommended their attorney look at the definition of a hospital under our City Code, as it now exists. It talks about what is required to be defined as a hospital. The fact that the clinic was allowed to operate without that requirement was an oversight, but that does not change the definition.

Vickie Raines, Grays Harbor County Commissioner from District 3, and serves on the governing board of Grays Harbor Behavioral Health Organization, read a letter from former Health Director for Grays Harbor County, Joan Brewster. After reading the letter, Commissioner Raines stated she attended the last work session a few weeks ago and Brenda Orffer concurred that she knows that the people they will be serving are normal human beings that are our brothers, sisters, neighbors, etcetera, but are in our jails right now and in our emergency rooms. They can't be held, so they are just released out on the streets. We would like to be able to provide a regional facility where we can treat these individuals and help them become healthy again and become productive citizens in our community. She would appreciate the Council's consideration and support.

Gloria Hale wanted to make the point she is not against the facility and she knows that it is needed, just not in a residential neighborhood. That is her biggest issue.

CITY ATTORNEY REPORT

Dan Glenn provided a written report for the Council and is available to address any questions.

Councilmember Orffer asked Dan Glenn about his comments regarding resolution setting and council meeting policies and practices. She asked if we already had one and Dan responded he was not able to find any. Councilmember Orffer added that if the Council is going to move on this, then they should add something about when they receive their meeting materials. She would like to get them at least 7-10 days prior to the meeting. She would like something that is consistent. Dan will prepare a draft set of rules. Mayor Schiller stated, the Council meeting agenda items are to be from the Council. The Council is responsible to tell the staff what they want on the agenda. The staff is only giving the Council what they are aware of, to give. If the Council wants more information, they need to let the staff know what they want.

DIRECTOR OF PUBLIC WORKS  
REPORT

Todd Baun and Paul Morrison attended a walk-through on the Mark Reed site with Telecare and Great Rivers consultants.

The City-wide clean-up is April 22 from 8 am until 2 pm.

POLICE CHIEF BLUMER

None.

NUISANCE UPDATE

Todd Baun was asked to provide a nuisance update and included the information that was provided at the workshop. He would like to move forward on this and find out if there is anything the Council would like to recommend or change. Councilmember Blankenship is ready to move forward. Mayor Schiller will have Dan Glenn provide an official version for the next meeting so Council can vote on it.

WWTP SOLIDS UPDATE

The Wastewater Treatment Plant operators changed a process and have taken advice from Gray & Osborne and the Department of Ecology and have received good results. They will be completing a final test to get the solids to become certified as a class "B" solid that can be land applied. G&O have begun to review different options to give a long-term solution to the City's solid fecal count issues. This is needed because the process that we are performing currently is providing more reliability to pass testing, but the treatment plant has more difficulty operating, which could possibly lead to violating discharge permit requirements.

COMMUNITY ECONOMIC  
REVITALIZATION BOARD (CERB)  
GRANT

The Community Economic Revitalization Board awarded the City funding for our Comprehensive Plan. Funds provided shall be in the form of a grant in the maximum principal amount of \$50,000, which must have a local cash match in the amount of at least \$16,667. **It was moved by Councilmember Ator, seconded by Councilmember Blankenship to authorize the Mayor to sign the CERB grant with matching funds. Motion Carried 5-0.**

3RD STREET PROJECT  
AMENDMENT

**It was moved by Councilmember Orffer, seconded by Councilmember Blankenship to authorize the Mayor to sign the Supplemental Agreement No. 7 with Skilling's Connolly, Inc. Motion Carried 5-0.**

REVISIT FAILED ORDINANCE  
FROM MARCH 22, 2017  
MEETING

**It was moved by Councilmember Ator, seconded by Councilmember Richey to rescind the vote against the zoning definitions amendment from the March 22, 2017 meeting. Motion Carried 5-0.**

ORDINANCE 830 AMEND MMC  
ZONING CODE

Councilmember Orffer stated that she voted against this initially because the definitions were going to be a roadblock for something that was already in progress. She wanted to see a side-by-side explanation that was going to allow the definitions to come into play, as well as the recommendation of the zoning. She did not want to adopt something that was going to zone something out of our City. Particularly with this protected class of operation. She met with Dan Glenn and talked more about these definitions and dove a little into the current definition that we have in the McCleary Code. She was not on the Council when the hospital operated as a clinic so she has no history to bring into her perspective. As she sees it, the current definition is also ambiguous, and may or may not, include the new mental facility. The definition will actually allow this type of facility to come into McCleary and then we have to go to the Hearing Examiner to find out how this should be zoned. There are Federal, State and local laws that come into play here. There is a lot at play. The Council has to look at every aspect of this situation and consider the City's liability, the City's needs, and what is best for everyone involved. It's not about one or two people. It's about our entire town. Since we cannot go to the hearing examiner about zoning until we have the definitions, she is willing to take a look at this again and consider these definitions because without them, she cannot see how this treatment facility can come into our City. Councilmember Ator added there is nothing we have in our ordinances that address this. Without it being addressed, she believes we are in a worse situation. **It was moved by Councilmember Ator, seconded by Councilmember Blankenship to adopt Ordinance 830 RELATING TO ZONING, AMENDING SECTIONS 17.12.010 AND 17.36.020 MMC, PROVIDING AN EFFECTIVE DATE AND FOR SEVERABILITY AND CORRECTION. Roll call taken in the affirmative. Ordinance Adopted 5-0.**

PUBLIC HEARING REQUEST

**It was moved by Councilmember Ator, seconded by Councilmember Richey to have the Hearing Examiner set a Public Hearing regarding zoning for hospitals and residential treatment facilities, including definitions and conditions of use. Motion Carried 5-0.**

RESOLUTION 702 ADOPTING  
CASH HANDLING AND UTILITY  
BILLING POLICIES

**It was moved by Councilmember Ator, seconded by Councilmember Peterson to adopt Resolution 702 ADOPTING POLICIES IN RELATION TO HANDLING MONIES RECEIVED BY THE CITY AND UTILITY BILLING. Motion Carried 5-0.**

PUBLIC COMMENT

Ron Hulser works for Summit Pacific Hospital. He understands definitions can be technical. He said Mark Reed did not perform surgeries for many years. Summit Pacific Hospital District maintained a clinic in the Mark Reed building until a year ago. That clinic was not licensed as a clinic, it was operating under the hospital license. Dan Glenn asked him if the clinic changed the licensing when they moved to their new location and Mr. Hulser said they did not. The clinic license was covered under the hospital license.

Gary Atkins asked why Aberdeen isn't being considered when there are so many more people needing services there and there are so many empty buildings in the area? Why do we have to have it here? Why is it being crammed down our throats? The pole that Gloria Hale spoke about shows the majority of people do not want it here. We are told this has been in the works for years but we have not heard about it until now. It feels like the process was done through the back door. They got approved and got everything done and Mark Reed is happy they are getting a two-million dollar makeover on a building that we said wasn't good enough and they moved to Elma. Mayor Schiller doesn't believe it's being crammed down our throat. He stated they see an opportunity to use a building that previously was a hospital that works for them. They applied for the grant and did their process but they did not communicate to us what was going on.

Gary Atkins asked why this can't be brought to the people to vote on. Let the town decide on this. Councilmember Orffer responded by saying we are not asking for tax payer dollars. If they were using tax payer money, the public would have a say.

Marc Bollinger was asked by a resident about why, if only for money, would their company choose the hospital site when it's in the middle of a residential neighborhood where there are people that will be impacted by this. East Grays Harbor was not good enough to keep Mark Reed Hospital because they wanted to be centrally located and now, when there is an empty, unappealing building, we come into play. McCleary is now good enough for a mental facility. How is that good for McCleary? The majority of the population is in Aberdeen and Hoquiam and there are a lot of empty buildings there. It makes no sense why you would locate the facility here.

Mr. Bollinger responded stating this was an opportunity. The maximum amount of money they were given through Commerce was two-million dollars and they had no more money to remodel a facility. This was the only facility within Grays Harbor that could be set up and remodeled within the budgeted amount they had. That is how it started. A facility was available and money became available from the State to remodel and upgrade the building. His company had been in operation for only a year, but prior to that, Grays Harbor was a regional support network and this work started before then. His understanding is there were some conversations with McCleary folks about the McCleary Hospital site, which started the conversation and then it went into the grant application process, and then was submitted and in May, they received notification that they received the award letter from Commerce.

Mayor Schiller stated he was not contacted. Conversations may have happened but nothing was guaranteed based on that grant. So it's all hearsay because Great Rivers wasn't sure they were going to get the grant. Nobody contacted the City until May of 2016.

Marc Bollinger stated prior to May, in the planning stage well over a year ago, that is when the discussions occurred and he believes Mayor Schiller may have been a part of the touring. It wasn't a sure deal but it was a feasibility of looking at this to see if it was a possibility. So, those discussions did occur. The grant was submitted and was awarded. He said Todd Broderius from Great Rivers, apologized for not notifying and doing an outreach and communicating earlier but they were operating under the assumption that McCleary folks were aware because that was necessary to start the process well over a year ago.

Mayor Schiller asked Mr. Bollinger how you can make someone aware of something that is not there. Mr. Bollinger stated staff was involved in the discussion about a proposed site and project. Mayor Schiller replied that Mr. Bollinger said they came and talked to the City and asked what did they bring with them? He said they brought a handful of sketches with a bunch of rooms in May and told us this is where you want to put your treatment facility. Bottom line, that is what got handed to the City of McCleary.

Marc Bollinger said this got started prior to their formation. He started with Grays Harbor County Regional Support Network over a year ago. Gary Atkins asked if he knew he was going to apply for a grant for a mental facility in a small town, wouldn't he go to the people and tell them this is what you are thinking of doing, and would McCleary be willing to go along with it before you apply for the grant?

Vickie Raines stated that her understanding is there were conversations and discussions at the staff level. She said it may not have gone to the City Council and when she was here a month ago, she apologized profusely for that. She is a strong proponent of open communication and dialoged and that is why she is present tonight. She added, as far as being a profit organization, it isn't any different than when you have a medical office or a doctors office. They certainly are not running a non-profit business. If she goes to the dentist, it is for a profitable business and she will receive top of the line expertise from professionals providing the service. She apologized again for the lack of communication. This all happened at the time the legislature allowed the creation of a five county wide behavioral health organization and transitioned at the very same time. Then the award letter came in May and right after that, their Health Director retired, and so they had to deal with a transition. So, was the ball dropped? Absolutely.

Gloria Hale commented that she doesn't believe these people understand how this is going to affect the people that live there. When they built their homes, and when the hospital came in, it was just a hospital. It was not a mental health facility. They bought their homes thinking they lived next to a hospital.

Ms. Raines added they have those same mental health patients right now taking up cells in our jails and emergency rooms at the hospitals. Ms. Hale said she agrees we need a facility for these people, just not at this location. Mayor Schiller commented that the Council made their decision and now it's going to a public hearing. He doesn't want this conversation to go down a rabbit trail so he will put an end to this and ask for a motion to adjourn.

Councilmember Blankenship said he has a question regarding the other facilities they looked at. One facility, which was mentioned at the last meeting, was the Satsop site. The people from the Port of Grays Harbor didn't know anything about it being considered. Ms. Raines commented that he is referring to Alyssa Shay, who took over when the Port assumed that from the Public Development Authority. She doesn't know what was discussed during their transition. Councilmember Blankenship stated it goes back to the fact McCleary is the most beneficial site for this facility and he doesn't believe anything else was looked at. Ms. Raines stated the old Mark Reed site was a medical facility and it was utilized as such, up until a year ago and the conversation would be much less expensive to convert to a mental facility. It would be too costly to build from the ground up. She was not on the Commission when the conversation started but she does know Senator Hargrove and Joan Brewster discussed this at length for many years before we had a Behavioral Health Organization. She wasn't involved in the details of the conversations and what they explored. When she was assigned, the McCleary site was already selected in May of last year.

Gloria Hale made a suggestion that every resident in McCleary do some homework on Telecare, because she has, and they are not the rosy picture they painted for us. She brought an article from one of their facilities that had issues. Marc Bollinger said the facility that is referenced in the article is a 16-bed secured facility and next door is a rehabilitation center that is more open where people can move freely around. The person that was killed by the police was not from the 16-bed facility, they were from the rehab center. He encouraged residents to do research on Telecare and know what facility types they are looking at. There is a difference in Telecare facilities.

Helen Hamilton heard a rumor last June that something big was coming to McCleary. She came to a Council meeting and asked if they knew what was going on and the Council did not. She called Grays Harbor County Commissioners and they also didn't know what was going on. She told everybody that before they get a grant, they need to tell what their plans are and they have to provide a drawing. She was told that no, they didn't have to do that anymore, but she said you actually do have to. She believes everybody didn't tell the truth. Nobody knew anything and that is not right.

Ryan Reynolds is a realtor and is concerned about a couple land owners in town that have big projects in the works. His concern is the multi millions of dollars these land owners are wanting to invest, and the permanent tax dollars that will be coming in when these homes are built and sold for revenue in this town, and the surrounding home values being able to arise with the tide; what does having this facility do to those home values? He is not so sure it would be a wise investment for these land owners to invest in McCleary. He isn't sure they will be able to sell those homes with this facility coming in. He doesn't know the answer to that but he knows he can't advise them with an educated answer as to whether the facility will hurt or help their value.

Mayor Schiller asked Mr. Reynolds if he sells houses in Tumwater and Pierce County and Mr. Reynolds responded he did. Mayor Schiller stated those areas have mental facilities in them and asked Mr. Reynolds to please not use that as a scare tactic. Mr. Reynolds stated he was not trying to do that.

Councilmember Orffer thinks there is a question too, about what value do we have in an empty, deteriorating building that can also attract homeless activity and drug and criminal activity. The building is vacant and it's going to become more of a liability. If these land owners want to invest in McCleary, we are happy to have them. We are doing everything we can do as a Council to be friendly to builders and contractors. We've lowered rates and we've provided incentives and doing what we can to help. We can only deal with what comes in. If we get a building application, then we look at it, and if we get an application for this empty building that is becoming a liability, we have to look at it.

Marc Bollinger understands that the people are okay with a medical clinic, but not a mental facility. There are still medical issues and you can't treat them differently. This is a secure appropriate place. There are residents from McCleary that will be treated here. He is hearing that McCleary doesn't want that type of people here and they don't want that facility here, but medical and primary care are okay. Gary Atkins responded that a medical office helps the community as a whole. If his kid breaks their arm or a senior citizen falls and breaks their hip they can get help at a medical clinic. It's not the same as an Aberdeen drug addict that is off their psycho meds and putting them up there for fourteen days and when they get out they will hang out in this town. Mr. Bollinger said it's very clear that people don't understand what this program is.

Councilmember Orffer stated, obviously everyone has a different opinion on this, but we are all from McCleary and we all have the best for the City at heart and we need to respect each others differences and opinions. She does not go on Facebook and doesn't read what is out there. She hears rumors about a lot of talk. If we really want to be a City and be successful, we need to respect each others differences and opinions and agree to disagree. We need to leave conversations like this and walk down the hall and shake hands and smile and invite someone to a barbeque. It's very important we all work in the same direction.

Gloria Hale responded she is from McCleary, they aren't.

MEETING ADJOURNED

**It was moved by Councilmember Ator, seconded by Councilmember Peterson to adjourn the meeting at 7:30 pm. The next meeting will be Wednesday, April 26, 2017 at 6:30 pm. Motion Carried 5-0.**