

**ASSEMBLY COMMITTEE OF THE WHOLE
Work Session**

**Monday, December 11, 2000 p.m.
Municipal Building - Assembly Chambers**

MINUTES

I. CALL TO ORDER

Chair MacKinnon called the meeting to order.

II. ROLL CALL

Members present: Sally Smith, John MacKinnon, Jim Powell, Frankie Pillifant, Cathy Munoz, Ken Koelsch, and Don Etheridge.

Members absent: Marc Wheeler, Dale Anderson

III. APPROVAL OF MINUTES

Jim Powell made a motion to approve the minutes of November 27, 2000 and asked for unanimous consent. There was no objection and the minutes were approved.

Mr. MacKinnon said that due to the number of people in the audience, he would rearrange the agenda items.

IV. HEALTH AND SOCIAL SERVICES TRANSITION UPDATE

Mr. MacKinnon said that the transition began about a year ago, there was a lot of concern, and it appears that everything has gone smoothly, almost like Y2K, which was a non-event.

Donna Pierce gave a brief history of the transition of health and social services. The state was first responsible for the programs, and the city was a placeholder until the transition could be made to the non-profit sector. Christine Blackgoat made a lot of progress in bettering the relations between the non-profit sector and the hospital, but in recent years the city program was financially troubled and had a lot of staff turnover. At the same time, the non-profit organizations were developing substantial programs. The state has the obligation as the primary grantor of funds to determine where the grant funds go, and that the services are provided. The state decided that mental health services would be provided by JAMHI – Juneau Alliance for Mental Health, Inc. A transition team was set up and was co-chaired by Leonard Able, State Division of Mental Health, and Donna Pierce, and included Brenda Knapp, JAMHI, Pat Murphy and Walter Majoris of the State Mental Health Board, Chuck Bennett of JYS – Juneau Youth Services, the school district, consumer representatives and some clinical people. Mr. Able and his state team also oversaw the clinical transition of the clients and their records to JAMHI.

DRAFT

Since July 1, JAMHI and JYS have been handling the mental health program. Bartlett, another city facility, began administering the chemical dependency program under a management agreement in April and the actual program transfer happened in July. There will be an ordinance transferring the actual physical plant of JRH to Bartlett at the next assembly meeting.

Leonard Able discussed the grant process of the transition of services. The goals were to be sure that the services remained in tact and all the clients were taken care of. There were two committees, one headed by Karen Forest, SE Regional Coordinator in the State Mental Health Division, and one by Gina McDonald, who is the Clinical Director for JAMHI. The first step was to ensure emergency services were operating 24 hours a day. All the patients and their records needed to be transferred. Von Jacobson was the consumer representative, who set up meetings with consumers to help with their concerns and fears directly. There are some consumers who have chosen not to be part of the transition that are still being tracked, and the emergency system is in place if something happens. Mr. Able appreciates the continued amount of funding from the CBJ.

Mr. Powell asked if there would be an opportunity for another update a year from now. Ms. Pierce said that the next opportunity would be at budget time, when the assembly will review continued transition funding.

Brenda Bruce of JAMHI said that keeping the mental health services in the Salmon Creek Building were a key to continuity. All their services have expanded; they are still recruiting for some positions. Medicaid rules changed at the same time for an additional challenge. A big issue for JAMHI is space and they need to get their Salmon Creek and downtown offices under one roof.

Chuck Bennett of JYS said Richard Nault helped the transition as well and things have gone very smoothly. The only component that has not been continued in ongoing therapy for children and families in crisis after their first emergency visits (approx. 6 sessions) have been exhausted. Unless families can pay or have private insurance for these services, there is no funding for continued visits. Mr. Bennett said that is the only gap in the transition that he sees and wanted the assembly to be aware that there may be some complaints about this. Mr. Able came forward to discuss the brief therapy model that is used statewide, which is different than what has been used in the past. He said that the new Medicaid regulations might allow for continued therapy, whereas the old regulations had a fixed cap of 10 individual/family/group therapy visits.

Stephen Sundby of JRH said that an audit was done in March 2000 of the program with poor results – a recent audit in November showed great improvement. The staff moral and services are good, the billing system is in place and their documentation is good. There are 16 beds and they run at about 14 full each day. JRH is in the process of setting aside a portion of the building for a public inebriate program for intoxicated people picked up by the community service patrol, which will keep them away from the people in recovery.

Greg Pease of GHS – Gastineau Human Services said that many people are multiply diagnosed with mental health and chemical dependency issues. He said the Kohler report said that the city

should not be competing with the private sector who are ready to take over these services and the transfer of CD – chemical dependency – to Bartlett is a transfer from the city to another city agency. Bartlett is now competing with GHS for funding, but GHS feels excluded from the transition process. CBJ worked with GHS on a CDBG – Community Development Block Grant, for “bundled service delivery” for the public inebriate population. Mr. Pease said that if JRH is doing this service he finds it duplicative. He said there is no arbitor of this to tell him which way it will go.

Mr. Powell asked Mr. Pease to provide the assembly with a letter outlining his concerns about the transition.

Ms. Pierce has asked Dan Garcia of CDD to look into the CDBG grant in light of the changes to JRH and GHS. Mr. Pease stated that GHS is also seeking operating funds from the cigarette, alcohol excise taxes. Ms. Pierce said that those funds have been used for JRH in the past and are being used for JRH now.

V. SALMON CREEK BUILDING

Mr. MacKinnon said that the idea was discussed about putting the Permit Center at the Salmon Creek Facility once mental health had moved out. From the research and memo from the CDD, it appears that it is not possible to move both the Planning/ Building and Engineering Department together, which is needed to be fully functioning. Ms. Pierce said that Steve is negotiating with the Marine View owner for more parking. Mr. Koelsch wants to know what other enterprises; city departments or school district uses can be housed there, if the need is there. Ms. Munoz said it is critical to the success of the mental health services that the building is continued to be used for the program. Mr. Powell agreed that it is a good use of the building to be in the health industry due to the proximity to the hospital. Ms. Pillifant said it is good to look at all possibilities, but continuity is good too, also, keeping CDD downtown is helpful to promote viable business in the downtown area. Perhaps a city facility needing office space could use the downtown space that JAMHI wants to vacate. Mr. Koelsch stressed city employees in city buildings providing city services no matter what the location. Mr. MacKinnon said that we ought not make any decisions while we are in negotiations with Marine View, and we need to continue to support JAMHI as an important user of the Salmon Creek Building. Ms. Pierce said that the assembly gave authorization to negotiate the Salmon Creek building with JAMHI and spoke about the importance of the building to their program. JAMHI is committed to use the building in 2001, but if they knew if they could stay longer, they would start consolidation moves now with their offices. Mr. Gilbertson said that in his negotiations with the Marine View Building he is attempting to gain more parking spaces on site for CDD use. The only leased space are two floors in Marine View, space in the Municipal Way building for finance and law, and the Mendenhall Library.

VI. S'IT'TUWAN SUBDIVISION

Steve Gilbertson said there are four city lots in the S'it'Tuwan Subdivision that were to be part of a joint project with Tlingit & Haida, the city and the school district construction classes for

student built houses as part of their curriculum. T&H had to back out of the agreement, after the city passed an ordinance to sell lots to T&H. The school district wants to substitute themselves for T&H. As the students build each house, the city will retain the funds for the land and the school district will retain the cost of the improvements for the program. We will need a new ordinance for this situation and to enter into an agreement with a realtor. Mr. Powell moved to adopt the staff's recommendations for this program. There were no objections. Ms. Munoz wants some consideration for right-of-way, pedestrian easement access, and if there are opportunities with these lots, to look into it. Mr. Koelsch was concerned about the lack of the modular on-site classroom. Steve Gilbertson said that the Planning Commission approved this use and one of the lots has had site prep for the classroom. Marysia Ochej of the school district said that is a possibility but there are not sufficient funds for this now. There was no objection to getting the ordinance before the full assembly.

VII. NOISE ORDINANCES – DISTURBING THE PEACE, OBJECTIONABLE DOGS

Mr. MacKinnon said that the two ordinances before the assembly, Ord. 2000-44(am) deals with loud woofers in cars and Ord. 2000-47 deals with the four legged woofers. There are two separate issues with similar problems. Mr. MacKinnon said he was on the Planning Commission when the first caretaker apartment in an industrial zone was allowed. At that time it was noted that it would eventually be a problem with conflicting residential and commercial uses. Ordinance 2000-47 has come up in response to the Pet Nanny, a kennel in the industrial area has received citations for barking dogs.

The assembly discussed how to craft the ordinances so that barking dogs at a kennel in accordance with the land use code are not penalized, but that there is no blank check for making noise in an industrial zone.

Cheryl Easterwood, CDD Director, said that the Pet Nanny Kennel is a minor development under 5,000 sf, which is allowed outright in the industrial zone without a permit, so there is no permit to place conditions on. She also reviewed several noise ordinances and in almost every situation, kennels were exempted from disturbing the peace ordinances. Some needed to meet decibel levels in decibel based code systems. She referred to the CDD Title 4 Regulations regarding noise. Mr. Powell asked some questions about decibel levels and said that dogs barking in industrial areas should be allowed along with other noisy activities in industrial zones.

Mr. MacKinnon suggested amending that disturbing the peace ordinance would not apply to any use authorized in an industrial zone. Ms. Pillifant suggested adding that the noise in the ordinances refer specifically to "noise from dog kennels". Mr. Corso said it would work to refer to the barking of dogs from a kennel in an industrial zone authorized by the land use code, being exempt from the disturbing the peace and animal ordinances.

Mel Personnet explained how the police arrived at the hourly fee of \$61.36 per hour, per officer, starting at the time a call was placed to the dispatcher for a second response to the time the officer(s) clear the call.

Ms. Munoz disagreed with an hourly rate and requested a flat fee. Mr. Koelsch agreed and said it would be easier to administrate the bills, and would generate fewer complaints from the public. There was a general consensus for a flat rate.

Ms. Pillifant asked if there could be some provision for youth court to be an option as an alternative to parental responsibility for payment.

The assembly discussed the difficulty in enforcing this ordinance. Mr. Personett said that the police are now responding to noisy parties and vehicles, but there has been no way to hold people accountable. The police generally issue a warning on the first response, but the ordinance would allow them to issue a citation for those causing real problems.

Cheryl Easterwood said that there may need to be more review of the Construction & Building section of the Disturbing the Peace ordinance. Mr. MacKinnon agreed and said he would run it by the Juneau Homebuilder's Association.

The assembly requested leniency in parking enforcement for the downtown area where the signs restrict parking to 1 hour for shoppers. Mr. Personett said he would talk with the community service officers and will do as asked, but to remember that budget season is approaching and tickets are revenue.

Mayor Smith asked the assembly to review the list of retreat goals and to all five sections, with a 1 by the goal that is most important in each category through a 4 for the least important and to give those sheets back to her as soon as possible.

Ms. Munoz noted the letter received from the JAHC – Juneau Arts and Humanities Council, requesting funding for a performing arts center. She will put this on the discussion list for budget worksessions.

Ms. Pierce said that CBJ is in receipt of a request for the KTOO Gavel to Gavel Funding that is in the Better Capital City Account. There was no objection, however, Mr. MacKinnon said that if CBJ is paying ½ the cost that CBJ should get ½ the “brought to you by”...

VII. ADJOURNMENT

Without objection, the meeting adjourned at approximately 7:10 p.m.

Respectfully Submitted by:

Laurie Sica, Municipal Clerk

Date Approved