

CITY OF BENTON HARBOR
COMMISSION AGENDA

LULA LEE COMMISSION CHAMBERS
TUESDAY, JANUARY 22, 2019 AT 7:00 P.M.

Presiding: HONORABLE MAYOR
Marcus Muhammad

MAYOR PRO-TEM
Duane L. Seats II

INVOCATION – INVOCATION/SILENT PRAYER

PLEDGE TO FLAG

ROLL CALL

APPROVAL OF THE AGENDA

REGULAR MINUTES OF – JANUARY 7, 2019

APPROVAL OF ACCOUNTS PAYABLE LISTING

UPDATE – COUNTY COMMISSIONER YARBROUGH

AUDIT PRESENTATION

CITIZENS COMMENTS – THREE (3) MINUTE MAXIMUM PER SPEAKER

CONSENT CALENDAR

The following ordinances/resolutions will be adopted by one motion.

**ADOPT A RESOLUTION APPROVING THE PAYMENT TO THE BERRIEN COUNTY CLERK'S OFFICE
(NOVEMBER 6, 2018 GENERAL ELECTION RELATED COSTS)**

ADOPT A RESOLUTION APPROVING THE SUPPORT FOR JUNETEENTH CELEBRATION PARADE

ADOPT A RESOLUTION APPROVING THE PAYMENT TO MEURER RESEARCH INC.

ADOPT A RESOLUTION APPROVING THE MAINTENANCE AND SERVICE AGREEMENT WITH CUMMINS SALES AND SERVICE COMPANY OF GRAND RAPIDS, MI

ADOPT A RESOLUTION APPROVING THE INSTALLATION OF ALUMINUM SULFATE LINE AT BENTON HARBOR WATER FILTRATION PLANT

COMMUNICATIONS

REPORT OF STAFF OFFICIALS;

COMMISSION COMMENTS - FOUR (4) MINUTE MAXIMUM

REPORT OF STANDING COMMITTEES;

ADJOURN TO: MONDAY, FEBRUARY 4, 2019

COMMITTEE MEETING SCHEDULE:

LEGISLATIVE COMMITTEE MEETS EVERY FIRST WEDNESDAY OF THE MONTH AT 5:30 P.M. IN THE LULA LEE COMMISSION CHAMBERS. THE CHAIRPERSON IS COMMISSIONER HENDERSON.

PUBLIC SAFETY AND RECREATION COMMITTEE MEETS EVERY SECOND WEDNESDAY OF THE MONTH AT 5:30 P.M. IN THE LULA LEE COMMISSION CHAMBERS. THE CHAIRPERSON IS COMMISSIONER SINGLETON.

PERSONNEL AND FINANCE COMMITTEE MEETS EVERY THIRD WEDNESDAY OF THE MONTH AT 5:30 P.M. IN THE LULA LEE COMMISSION CHAMBERS. THE CHAIRPERSON IS COMMISSIONER ISOM.

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE MEETS EVERY FOURTH WEDNESDAY OF THE MONTH AT 5:30 P.M. IN THE LULA LEE COMMISSION CHAMBERS. THE CHAIRPERSON IS MAYOR PRO-TEM SEATS.

COMMUNICATIONS/ PUBLIC RELATIONS COMMITTEE MEETS EVERY FOURTH MONDAY OF THE MONTH AT 5:30 P.M. IN THE LULA LEE COMMISSION CHAMBERS. THE CHAIRPERSON IS COMMISSIONER HENRY.

GOLF COURSE OVERSIGHT PANEL MEETS EVERY SECOND MONDAY OF THE MONTH AT 5:30 P.M. IN THE LULA LEE COMMISSION CHAMBERS.

**MINUTES OF THE BENTON HARBOR CITY COMMISSION MEETING
LULA LEE COMMISSION CHAMBERS
JANUARY 7, 2019**

The regular meeting of the Benton Harbor City Commission was called to order by Mayor Muhammad at 7:04 p.m. Invocation was given by Duane L. Seats II, which was followed by the Pledge of Allegiance. Roll call showed the following members present: Commissioners Mary Alice Adams, Ruthie Haralson, Sharon Henderson, Juanita Henry, Edward Isom, C.F. Jones, Mayor Pro-Tem Duane L. Seats II (left at 7:06; returned at 7:10 p.m.), Commissioner Ronald Singleton and Mayor Marcus Muhammad. Members Absent: None. Also present: City Manager Darwin Watson, Public Safety Deputy Director Michael Clark (arrived at 7:07 p.m.), Assessor Angela Story, Finance Director Andrew Clark, Attorney Randy Hyrns, Community & Economic Development Director (C. & E. Dev. Dir.) Tracey Jennings and City Clerk Kimberly Thompson.

APPROVAL OF AGENDA

A motion was made by Commissioner Haralson and supported by Commissioner Singleton to remove (ADOPT RESOLUTIONS APPROVING THE EXECUTION OF THE LIGHTING CONVERSION PROGRAM AGREEMENT WITH THE ENERGY REDUCTION COALITION AND THE AGREEMENT WITH CGI COMMUNICATIONS FOR A VIDEO TOUR OF THE CITY OF BENTON HARBOR) from the Consent Calendar and entertaining them as separate items carried unanimously on the roll call vote.

REGULAR MEETING MINUTES – DECEMBER 17, 2018

A motion was made by Commissioner Henderson and supported by Commissioner Isom to approve the Regular Minutes of December 17, 2018 with any necessary corrections or deletions. The motion carried unanimously on the roll call vote.

ZONING BOARD OF APPEALS MEETING MINUTES – DECEMBER 17, 2018

A motion was made by Commissioner Henderson and supported by Commissioner Isom to approve the Zoning Board of Appeals Regular Minutes of December 17, 2018 with any necessary corrections or deletions. The motion carried unanimously on the roll call vote.

APPROVAL OF ACCOUNTS PAYABLE

A motion was made by Commissioner Henderson and supported by Commissioner Adams to approve the Accounts Payable Listing carried on the following roll call vote. Yeas: Commissioners Isom, Henderson, Jones, Mayor Pro-Tem Seats, Commissioners Singleton, Haralson and Mayor Muhammad. Nays: Commissioners Adams and Henry. Members Abstain: None. Members Absent: None.

CITIZENS COMMENTS

Jerry Edwards, President of Bracken Edwards Youth Organization Umbrella (BEYOU), wished everyone a Happy New Year. He stated that he looks forward to working with all in 2019.

Michael Hoyh, administrator of Berrien County Strong - Benton Harbor Chapter, gave an update to a project that the members are working on to bring a laundry mat in the community's inner-city.

Vicki Franks, property owner and developer in the City of Benton Harbor, asked for the contact information of the full-time building inspector. She reported that there are no outstanding issues for water meters at 132 Pipestone. She requested a specific date for the availability of them.

James Duncan wished everyone a Happy New Year. He encouraged partnerships with no strings attached.

CONSENT CALENDAR

The following Consent Calendar item was presented by City Manager Watson, moved by Commissioner Adams and supported by Commissioner Henderson carried unanimously on the roll call vote.

RESOLUTION:

ADOPT A RESOLUTION APPROVING THE REAPPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY (RICHARD HENSEL)

SEPARATED ITEMS

A motion was made by Commissioner Adams and supported by Commissioner Haralson to ADOPT A RESOLUTION APPROVING THE EXECUTION OF THE LIGHTING CONVERSION PROGRAM AGREEMENT WITH THE ENERGY REDUCTION COALITION. After discussion a motion made by Commissioner Singleton and supported by Commissioner Adams to table this item until the next Personnel & Finance Committee meeting carried on the following roll call vote. Yeas: Commissioners Singleton, Adams, Henry, Haralson, Jones and Isom. Nays: Commissioner Henderson, Mayor Pro-Tem Seats and Mayor Muhammad. Members Abstain: None. Members Absent: None.

After discussion, a motion was made by Commissioner Adams and supported by Commissioner Haralson to ADOPT A RESOLUTION APPROVING THE AGREEMENT WITH CGI COMMUNICATIONS FOR A VIDEO TOUR OF THE CITY OF BENTON HARBOR carried unanimously on the roll call vote.

COMMUNICATIONS

Public Safety Deputy Director Clark wished everyone a Happy New Year. He reported on the graduation of a firefighter cadet at Kalamazoo Valley.

Finance Director Clark stated that the year-end audit is now filed with a presentation to follow at the next City Commission meeting.

C. & E. Dev. Dir. Jennings wished everyone a Happy New Year. She said that the department is moving along; however, the federal government shut-down has put a pause in the communication with United States Department of Housing and Urban Development (HUD).

City Clerk Thompson reported on the vacancies for various boards.

City Manager Watson stated that everyone should be able to go to the website to sign up for the alert system by Friday. He spoke on the impact of the federal government shutdown and the inability to submit reimbursements.

COMMISSION COMMENTS

Commissioner Haralson expressed safety concerns with the lights being out on McCord Street.

Commissioner Henry thanked citizens for attending tonight's meeting. She said that she hopes that 2019 will bring revenue streams and positive impacts to residents. She spoke on the need for apprenticeships and recycling. She encouraged everyone to attend City Income Tax Committee meetings to give input on things happening.

Commissioner Jones thanked everyone for attending tonight's meeting and encouraged them to keep talking to the City Commission. He cautioned everyone to have a full understanding of words and things being voted on. He stated that we need to pay attention to small business owners as well. He encourage all to be mindful of the words being used towards each other.

Commissioner Henderson wished everyone a Happy New Year. She said that talk is cheap and actions speak much louder.

Commissioner Singleton wished everyone a Happy New Year. He said that there are plenty of challenges to overcome in 2019; however, encouraged all to get things done for citizens.

Commissioner Isom thanked residents for attending tonight's meeting and wished them a Happy New Year. He acknowledged the efforts of audience members. He said that it's all about people and making things better for them. He expressed a need for a clean community and called for the enforcement of ordinances.

Commissioner Adams thanked residents for attending tonight's meeting. She said that it's been an honor to serve her community. She commended various members in the audience for their efforts. She suggested placing the laundry mat in the inner-city for accessibility of all residents. She asked if the City is still providing water to residents. She requested an explanation from the Mayor as to why she was removed as the Chair of the Legislative Committee.

Mayor Pro-Tem Seats thanked residents for attending tonight's meeting. He said that everyone has the ability to do better. He requested an update on the building inspector to know what's going on

in the City. He encouraged everyone to comply with timelines being set on various matters. He commended audience members and staff for their efforts. He stated that things need to be done for the betterment of the community and residents.

Mayor Muhammad wished everyone a Happy New Year. He briefly reflected on 2018 of local control. He reported on the City Income Tax and the expectation to begin construction on the streets in June. He expressed appreciation for being able to serve in various capacities during his tenure; however, explained that none of these seats are personal to representatives. He encouraged everyone to work together for the betterment of residents. He thanked residents for attending tonight's meeting and colleagues for their service. He gave an update on the funeral services of the slain soldier.

MOTION TO ADJOURN

A motion made by Mayor Pro-Tem Seats and supported by Commissioner Adams to adjourn the meeting carried unanimously on the roll call vote.

There being no further business to discuss, the meeting adjourned at 9:10 p.m.

Kimberly Thompson, City Clerk

Marcus Muhammad, Mayor

TO: Mayor Muhammad and the Benton Harbor City Commission

FROM: Kimberly Thompson, City Clerk

DATE: January 18, 2019

RE: Payment to Berrien County Clerk's Office

ITEM BEFORE THE COMMITTEE:

Approval of payment to the Berrien County Clerk's Office

DISCUSSION:

The City of Benton Harbor is charged with conducting elections as prescribed by State law.

In September 2016, municipal clerks were advised of the increase in fees; which hasn't been impacted since 2011. As a courtesy for years, the County has subsidized the increased costs of elections to the municipalities within its boundaries. Although it is not obligated to do so, the County provided this subsidy during election; however, this year, due to budgetary constraints, they were unable to do so.

In January 2017, the County Board of Commissioners approved a new fee schedule effective January 19, 2017 for various election related costs. Subsequently, a memorandum was forwarded to municipal clerks to this effect. As a result, the City of Benton Harbor made preparations to the foregoing budgets to allow for the expenditures. These costs included fees necessary to facilitate an election (i.e. ballots, coding and canvassing fees).

In order to administer the General Election held on November 6, 2018, various election related costs for materials and supplies were incurred from it.

RECOMMENDATION:

That Mayor Muhammad and the Benton Harbor City Commission approve the payment to the Berrien County Clerk's Office in the amount of \$4,070.50 for the coding of the voting machines and ballots; ballot printing and canvass fees.

RESOLUTION

WHEREAS, the City of Benton Harbor is charged with conducting elections as prescribed by State law; and

WHEREAS, MCL.168.689 states that the board of election commissioners of each county shall prepare the official ballots for use at any state, district or county election held therein, and shall have printed a sufficient number of ballots containing the names of all candidates properly certified to said board of election commissioners, and ballots for all proposed constitutional amendments or other questions to be submitted at such election to supply each election precinct in such county with a sufficient number for such precinct, and not less than 25% more than the total number of votes cast therein at the corresponding election held 4 years previous for the office which received the greatest number of votes; and

WHEREAS, for years, the County has subsidized the increased costs of elections; however, it wasn't responsible for nor able to afford the continuation of doing so; and

WHEREAS, in September 2016, municipal clerks were advised of the increase in fees; which hasn't been impacted since 2011; and

WHEREAS, in January 2017, the County Board of Commissioners approved a new fee schedule effective January 19, 2017 for various election related costs. Subsequently, a memorandum was forwarded to municipal clerks to this effect; and

WHEREAS, as a result, the City of Benton Harbor made preparations to the foregoing budgets to allow for the expenditures. These costs, includes, but not limited to, ballots; coding and canvassing fees; and

WHEREAS, a General Election was called on November 6, 2018 in the City of Benton Harbor, County Berrien, State of Michigan. To effectuate the election, various election related costs for materials and supplies were incurred from it.

THEREFORE, BE IT RESOLVED THAT, Mayor Muhammad and the City Commission authorize the payment to the Berrien County Clerk's Office in the amount of \$4,070.50 for the coding of the voting machines and ballots; ballot printing and canvass fees.

TO: Mayor Muhammad and the Benton Harbor City Commission

FROM: Darwin Watson, City Manager

DATE: January 18, 2019

RE: Support for Juneteenth Celebration Parade

ITEM BEFORE THE COMMISSION:

Support for Juneteenth Celebration Parade in the City of Benton Harbor

DISCUSSION:

Juneteenth is the oldest known celebration commemorating the ending of slavery in the United States. During the Public Safety and Recreation Committee meeting, Ms. Emma Kinnard explained that there would be a Juneteenth Celebration, to include a parade, in the City of Benton Harbor. The proposed route for the parade is through the heart of the city and it was expressed that the parade will be a part of an overall community celebration.

RECOMMENDATION:

That Mayor Muhammad and the Benton Harbor City Commission approve supporting the Juneteenth Celebration, to include a parade, as a community celebration in the City of Benton Harbor.

RESOLUTION

WHEREAS, Juneteenth is the oldest known celebration commemorating the ending of slavery in the United States; and

WHEREAS, during the Public Safety and Recreation Committee meeting, Ms. Emma Kinnard explained that there would be a Juneteenth Celebration, to include a parade, in the City of Benton Harbor; and

WHEREAS, the proposed route for the parade is through the heart of the city and it was expressed that the parade will be a part of an overall community celebration.

THEREFORE BE IT RESOLVED that Mayor Muhammad and the Benton Harbor City Commission approve supporting the Juneteenth Celebration, to include a parade, as a community celebration in the City of Benton Harbor.

TO: Mayor Muhammad and the Benton Harbor City Commission

FROM: Darwin Watson, City Manager

DATE: January 17, 2019

RE: Payment to Meurer Research, Inc.

ITEM BEFORE THE COMMISSION:

Approval payment to Meurer Research, Inc. for settling basin baffles at the Benton Harbor Water Filtration Plant

DISCUSSION:

During the Water Plant renovation project, the upflow clarifiers were replaced with a plate settler building and equipment. There are 3 flocculation basins ahead of the actual Plate Settler in 2 basins (1 North and 1 South). These basins provide a slow mixing of the aluminum sulfate (alum) and the raw water to build a heavy floc. The water passes through 4 panels (basin walls) to get to the plate settler. At this point, the clean water above is sent to the filters while the solids and alum settle out.

The panel walls were constructed of stainless steel panels, stacked on top of each other and placed in guide posts to slow down the flow. This allows for the energy in each of the flocculators to do their job. Unfortunately, the panels were placed on the floor and above the water level and are held fast in the guide posts.

These panels are the most challenging maintenance task for cleaning. To alleviate this challenge, staff ordered 3 swinging baffle, per basin, which can be propped open along the outer walls of each basin. This allows the floc from basins 1, 2, 3 and 4 (the stilling well), and then be moved to the drain.

RECOMMENDATION:

That Mayor Muhammad and the Benton Harbor City Commission approves payment to Meurer Research, Inc. for settling basin baffles at the Benton Harbor Water Filtration Plant in the amount of \$3,278.49.

RESOLUTION

WHEREAS, during the Water Plant renovation project, the upflow clarifiers were replaced with a plate settler building and equipment; and

WHEREAS, there are 3 flocculation basins ahead of the actual Plate Settler in 2 basins (1 North and 1 South); and

WHEREAS, these basins provide a slow mixing of the aluminum sulfate (alum) and the raw water to build a heavy floc; and

WHEREAS, the panel walls were constructed of stainless steel panels, stacked on top of each other and placed in guide posts to slow down the flow; and

WHEREAS, the panels were placed on the floor and above the water level and are held fast in the guide posts; and

WHEREAS, these panels are the most challenging maintenance task for cleaning; and

WHEREAS, to alleviate this challenge, staff ordered 3 swinging baffle, per basin, which can be propped open along the outer walls of each basin; and

WHEREAS, this allows the floc from basins 1, 2, 3 and 4 (the stilling well), and then be moved to the drain.

THEREFORE BE IT RESOLVED that Mayor Muhammad and the Benton Harbor City Commission approves payment to Meurer Research, Inc. for settling basin baffles at the Benton Harbor Water Filtration Plant in the amount of \$3,278.49.

TO: Mayor Muhammad and the Benton Harbor City Commission
FROM: Darwin Watson, City Manager
DATE: January 17, 2019
RE: Maintenance and Service Agreement with Cummins Sales and Service Company of Grand Rapids, MI

ITEM BEFORE THE COMMISSION:

Approval of execution of a generator maintenance and service agreement with Cummins Sales and Service Company of Grand Rapids, MI

DISCUSSION:

The City of Benton Harbor has 3 generators in the water and sewer department. They are as follows:

1. A 4,160 Volt 1,000kW 12-cylinder Detroit diesel engine at the water treatment plant;
2. A Cummins 35kW natural gas fired engine to generate power for the sanitary sewer lift station on the south end of 8th Street adjacent to Ox Creek; and
3. A Cummins 35kW natural gas fired engine to generate power for the sanitary sewer lift stations at the East End of Water Street adjacent to Ox Creek.

These generators were a required part of the upgrades and improvements to the City's water plant and sanitary sewer system. They were funded by the Drinking Water Revolving Fund (DWRP), the State Revolving Fund (SRF) and the American Resource and Recovery Act (ARRA) of 2012. These generators have not received significant annual service and are in need of service beyond routine checks and maintenance.

Due to the familiarity with the equipment and timely service during previous emergency events, a quote was sought from Cummins Sales and Service Company of Grand Rapids, MI. If approved, the company will initiate a contract for maintenance and service to commence in 2019.

The cost of the maintenance and service for each of the generators is as follows:

1. 8th Street Lift Station- 5 year agreement at \$1,000 annually;
2. The Water Treatment Plant - 5 year agreement at \$1,500 annually;
3. Water Street Lift Station - 5 year agreement at \$1,000 annually.

RECOMMENDATION:

That Mayor Muhammad and the Benton Harbor City Commission approve city staff executing a generator maintenance and service agreement with Cummins Sales and Service Company of Grand Rapids, MI.

RESOLUTION

WHEREAS, the City of Benton Harbor has 3 generators in the water and sewer department; and

WHEREAS, they are as follows:

1. A 4,160 Volt 1,000kW 12-cylinder Detroit diesel engine at the water treatment plant;
2. A Cummins 35kW natural gas fired engine to generate power for the sanitary sewer lift station on the south end of 8th Street adjacent to Ox Creek;
3. A Cummins 35kW natural gas fired engine to generate power for the sanitary sewer lift stations at the East End of Water Street adjacent to Ox Creek; and

WHEREAS, these generators were a required part of the upgrades and improvements to the City's water plant and sanitary sewer system; and

WHEREAS, these generators have not received significant annual service and are in need of service beyond routine checks and maintenance; and

WHEREAS, due to the familiarity with the equipment and timely service during previous emergency events, a quote was sought from Cummins Sales and Service Company of Grand Rapids, MI; and

WHEREAS, if approved, the company will initiate a contract for maintenance and service to commence in 2019; and

WHEREAS, the cost of the maintenance and service for each of the generators is as follows:

1. 8th Street Lift Station- 5 year agreement at \$1,000 annually;
2. The Water Treatment Plant - 5 year agreement at \$1,500 annually;
3. Water Street Lift Station - 5 year agreement at \$1,000 annually.

THEREFORE BE IT RESOLVED that Mayor Muhammad and the Benton Harbor City Commission approve city staff executing a generator maintenance and service agreement with Cummins Sales and Service Company of Grand Rapids, MI.

TO: Mayor Muhammad and the Benton Harbor City Commission
FROM: Darwin Watson, City Manager
DATE: January 16, 2019
RE: Installation of Aluminum Sulfate Line at Benton Harbor Water Filtration Plant

ITEM BEFORE THE COMMISSION:

Approval of the installation of an aluminum sulfate line at Benton Harbor Water Filtration Plant by D.A. Dodd

DISCUSSION:

The Michigan Department of Environmental Quality ("MDEQ") conducted a Sanitary Survey in October 2018. As a part of the survey, MDEQ reviews the treatment process, distribution system, record keeping, and testing requirements of the water supply.

One of the recommendations by the MDEQ is that the City modifies its flocculation process by relocating the aluminum sulfate ("alum") injection point. Currently, this coagulant feed point is into the 24" raw water influent without active mixing other than flow velocity. This severely hampers the ability of the treatment plant to combat changes in raw water quality and meet regulatory standards. MDEQ cited that this is a significant deficiency and must be corrected by constructing a coagulant injection into the pre-designed rapid mix chambers in the new pretreatment building.

In order to accomplish this, it was necessary for staff to contact D.A. Dodd to install the new alum supply line piping to the plate settler room. The quote for this work is \$10,900 (see attached documentation).

RECOMMENDATION:

That Mayor Muhammad and the Benton Harbor City Commission approve the usage of D.A. Dodd for the installation of an aluminum sulfate line at Benton Harbor Water Filtration Plant in the amount of \$10,900.

RESOLUTION

WHEREAS, the Michigan Department of Environmental Quality (“MDEQ”) conducted a Sanitary Survey in October 2018; and

WHEREAS, one of the recommendations by the MDEQ is that the City modifies its flocculation process by relocating the aluminum sulfate (“alum”) injection point; and

WHEREAS, MDEQ cited that this is a significant deficiency and must be corrected by constructing a coagulant injection into the pre-designed rapid mix chambers in the new pretreatment building; and

WHEREAS, in order to accomplish this, it was necessary for staff to contact D.A. Dodd to install the new alum supply line piping to the plate settler room; and

WHEREAS, the quote for this work is \$10,900.

THEREFORE BE IT RESOLVED that Mayor Muhammad and the Benton Harbor City Commission approve the usage of D.A. Dodd for the installation of an aluminum sulfate line at Benton Harbor Water Filtration Plant in the amount of \$10,900.