

**MINUTES OF THE BENTON HARBOR CITY COMMISSION
LULA LEE COMMISSION CHAMBERS
JANUARY 18, 2022**

The regular meeting of the Benton Harbor City Commission was called to order by Mayor Muhammad at 7:02 p.m. Invocation led by Mayor Pro-Tem Seats, followed by the Pledge of Allegiance led by Commissioner Edwards. Roll call showed the following members present: Commissioners Adams, Clark-Griffin, Edwards, Henderson, Henry, Isom, Singleton, Mayor Pro-Tem Seats, Mayor Muhammad. Members Absent: None. Also present: City Manager Mitchell, Assessor Story, and City Clerk Moore.

APPROVAL OF MINUTES

A motion was made by Commissioner Henderson and supported by Mayor Pro-Tem Seats to approve the Regular Minutes of January 3, 2022. The motion **carried** on the following roll call vote: Yeas: Commissioners Adams, Edwards, Clark-Griffin, Isom, Henderson, Henry, Mayor Pro-Tem Seats. Nays: None. Members Abstain: Mayor Muhammad. Members Absent: Commissioner Singleton.

A motion was made by Commissioner Adams and supported by Mayor Pro-Tem Seats to approve the Closed Minutes of January 3, 2022. The motion **carried** on the following roll call vote: Yeas: Commissioners Adams, Edwards, Clark-Griffin, Isom, Henderson, Henry, Mayor Pro-Tem Seats. Nays: None. Members Abstain: Mayor Muhammad. Members Absent: Commissioner Singleton.

APPROVAL OF ACCOUNTS PAYABLE

A motion was made by Mayor Pro-Tem Seats and supported by Commissioner Henderson to approve the Accounts Payable Listing. During Discussion, Commissioner Adams stated she will be voting no until a Finance Director is in place. Commissioner Clark-Griffin had concerns of items that she saw when reviewing the audit and believes the city needs their own Finance Director, not a contractor. Motion **carried** on the following roll call vote. Yeas: Commissioners Edwards, Henderson, Isom, Mayor Pro-Tem Seats, Mayor Muhammad. Nays: Commissioners Henry, Adams, Clark-Griffin. Members Abstain: None. Members Absent: Commissioner Singleton. Mayor Muhammad alerted the Council that if the Accounts Payable are not approved, checks cannot be issued to keep the city functioning.

UPDATED – COUNTY COMMISSIONER YARBROUGH

Commissioner Yarbrough brought newspapers with the property tax sales, she left a couple with the City Clerk for anyone to review, they were also published in the Herald Palladium on December 17 and 24. She stated that County Commission seats have always been 2 years since 1968, recently legislation was signed that commission seats will be every 4 years beginning 2024. Explained that every 10 years, after the census, its possible that the number of counties may go up or down. Currently there are 83, up from 81. She also mentioned that Marci Hamilton from SWMPC and Friends of Berrien County Trails gave a presentation to the County Commission on January 13 regarding trails, shared use paths, bike laws, water kayaking, canoes, parks. There is money that can be used for such things.

CITIZENS COMMENTS

Emma Kinnard inquired on whether the city is still paying the bank for the water plant and if everything has been fixed at the water plant. After the lead lines are fixed at homes, she asked if the water from the plant to the homes will be safe.

Marvin Haywood expressed the need for transparency. He asked if the water bills have been taken care of because residents are still getting bills for a service they can't used. He inquired if there was an update on the Covid grant relief money and the balance. He stated the need for a Finance Director to attend the meetings.

Mayor Muhammad stated that he has been talking with the Manager about sending out a letter regarding the credit on water bills.

CONSENT CALENDAR

The following Consent Calendar items were moved by Commissioner Adams and supported by Commissioner Henderson. Motion carried unanimously on the roll call vote.

RESOLUTION APPROVING ALTERNATE STARTING DATES FOR THE MARCH 2022 BOARD OF REVIEW MEETINGS

RESOLUTION APPROVING THE ACCEPTANCE OF LETTERS OF PROTEST FOR THE 2022 BOARD OF REVIEW

RESOLUTION ADOPTING THE INCOME LIMITS AND ASSET LEVEL TEST FOR PROPERTY TAX EXEMPTION GUIDELINES FOR TAX YEAR 2022

AUTHORIZATION OF THE CITY MANAGER TO EXECUTE A CONTRACT WITH L.E. BARBER FOR SMITH COURT WATER MAIN IMPROVEMENTS PROJECT

COMMUNICATIONS

City Clerk thanked the Commissioners for attending the Study Session, which seemed to be helpful, and would like to try again next month.

COMMISSION COMMENTS

Commissioner Edwards thanked everyone for coming out and gave a reminder to look after the seniors and disabled.

Commissioner Isom thanked everyone for coming out and for Commissioner Yarbrough's updates. Gave a reminder to keep aware of what's happening regarding voting and for everyone to stay up on it.

Commission Adams would like citizens to get their answers in 2022. She thanked Isom for bringing up the voting rights. She would like to see the technology working and hopes we can take care of getting a Finance Director.

Mayor Pro-Tem Seats appreciates the opportunity to serve another term and appreciates the study session. Wants to se stand for the air purifiers by the next meeting. He stated the only thing anyone has from the city is a cell phone, and the city has been in the black for 5-6 years, so nobody is taking money.

Mayor Muhammad thanked the council and staff for making the functioning of government effective. Despite the differences that may exist, we are working together to move the city forward. He stated there are 39 bills that are trolling the halls of the state government that would make Michigan worse for voting as a state. He also stated that ARPA has approximately \$9.5 million left and city plans to spend all the money to improve the city and would like to have input through some informational meetings, but keep in mind there are restrictions. He said the city does need a Finance Director but doesn't need to settle. Encouraged everyone to get their water tested.

CLOSED SESSION

A motion was made by Commissioner Adams and supported by Mayor Pro-Tem Seats to go into Closed Session to DISCUSS PENDING LITIGATION; WMP PROPERTIES, V. CITY OF BENTON HARBOR, ET AL, BERRIEN COUNT CIRCUIT COURT FILE NO. 20-00999-AW-H. Motion carried on the following roll call vote: Yeas: Commissioners Henry, Isom, Adams, Clark-Griffin, Edwards, Henderson, Mayor Pro-Tem Seats, Mayor Muhammad. Nays: None. Abstain: None. Absent: Commissioner Singleton.

The regular meeting recessed to go into Closed Session at 7:37p.m. and reconvened at 8:08 p.m. No action was taken as a result of the Closed Session.

Attorney Callahan stated he received strong impressions from the Commissioners and he will discuss those with WMP's Attorney.

MOTION TO ADJOURN

A motion made by Commissioner Adams and supported by Commissioner Isom to adjourn the meeting and was carried on the following roll call vote: Yeas: Commissioners Adams, Clark-Griffin, Edwards, Henderson, Henry, Isom, Mayor Pro-Tem Seats, Mayor Muhammad. Nays: None. Abstain: None. Absent: Commissioner Singleton

There being no further business to discuss, the meeting adjourned at 8:11 p.m.

Tiffany Moore, City Clerk

Marcus Muhammad, Mayor