

**MINUTES OF THE BENTON HARBOR CITY COMMISSION
LULA LEE COMMISSION CHAMBERS
APRIL 4, 2022**

The regular meeting of the Benton Harbor City Commission was called to order by Mayor Muhammad at 7:04p.m. Invocation led by Commissioner Henderson, followed by the Pledge of Allegiance led by Commissioner Isom. Roll call showed the following members present: Commissioners Adams, Clark-Griffin, Edwards, Henderson, Henry, Isom, Singleton, Mayor Muhammad. Members Absent: Mayor Pro-Tem Seats (arrived at 7:11pm). Also present: City Manager Mitchell, Director of Public Safety McGinnis, Community and Economic Director Little, Attorney Racht and City Clerk Moore.

APPROVAL OF MINUTES

A motion was made by Commissioner Henderson and supported by Commissioner Edwards to approve the Regular Minutes of March 21, 2022. Motion carried on the following roll call vote: YEAS: Commissioners Singleton, Adams, Clark-Griffin, Edwards, Henderson, Henry, Isom, Mayor Muhammad. NAYS: None. Members Abstain: None. Members Absent: Mayor Pro-Tem Seats.

APPROVAL OF ACCOUNTS PAYABLE

A motion was made by Commissioner Henderson and supported by Commissioner Isom to approve the Accounts Payable Listing. During Discussion, Commission Henry stated it was anew day when we get info about our money. **Motion carried** on the following roll call vote. YEAS: Commissioners Edwards, Henderson, Isom, Singleton, Mayor Muhammad. NAYS: Commissioners Adams (apologized for not attending the study session and will continue to vote no until there is a Finance Director), Clark-Griffin, Henry. Members Abstain: None. Members Absent: None.

CITIZENS COMMENTS

Trenton Bowers applauded the Commission for the work they are doing and mentioned the Easter Egg Hut on April 16.

Guy Miller and Chiome Ejiofor from the Berrien County Health Department gave an update on the release of water filters. They stated that there will be communication study and will make sure every resident knows how to obtain their filter. Mayor Muhammad invited them to the Public Safety Committee meeting to do a follow up.

Emma Kinnard stated that water is running on the street and causing erosion at May and Superior. She said a committee was formed to follow the finances and has been dissolved without notice. She asked how there could be a clean audit when equipment purchased and money can't be found in the Cemetery finances.

James Duncan stated he would like to raise his own chickens and would like that to be an opportunity for the citizens.

Legislative Chair Henderson addressed Chapter 9 of the Code of Ordinances regarding Animals & Fowl.

DR TOWNSEL – PRESENTATION OF BHAS STRATEGIC PLAN

Benton Harbor Area Schools Superintendent Dr Townsel and School Board President Robinson presented the BHAS Strategic Plan Summary, as well as goal statements and provided highlights from the last 2 ½ years.

CONSENT CALENDAR

Commissioner Clark-Griffin requested to separate RESOLUTION TO UTILIZE A PORTION OF THE ARPA FUNDS TO UPGRADE TECHNOLOGY IN THE COMMISSION CHAMBERS from the Consent Calendar for discussion.

Commissioner Adams requested to separate AUTHORIZATION OF THE CITY MANAGER TO EXECUTE A CONTRACT WITH MEEKS CONTRACTING SERVICES FOR THE CONTRACT FOR THE 2022 CDBG SIDEWALKS PROJECT from the Consent Calendar for discussion.

Commissioner Henry requested to separate RESOLUTION TO ACCEPT SIX (6) PARCELS OF PROPERTY FROM CORNERSTONE from the Consent Calendar for discussion.

The following Consent Calendar items were moved by Commissioner Singleton and supported by Commissioner Edwards. Motion carried on the following roll call vote: YEAS: Commissioners Clark-Griffin, Edwards, Henderson, Henry, Isom, Singleton, Mayor Pro Tem Seats, Commissioner Adams, Mayor Muhammad. NAYS: None, Abstain: None, Absent: None

RE-AUTHORIZATION OF THE CITY MANAGER TO EXECUTE A QUIT CLAIM DEED FOR THE PROPERTY AT 312 BROADWAY TO THE LEGACY GROUP

RESOLUTION OF SUPPORT FOR THE KRASL ART CENTER’S BIENNIAL SCULPTURE INVITATIONAL AND APPOINTMENT OF COMMISSIONER EDWARD ISOM AS THE CITY’S LIASION

APPROVAL OF THE JEAN KLOCK CONCESSION AGREEMENT BETWEEN THE CITY AND LICKS SWEET TREATS & EATS

SEPARATED ITEMS

Motion was made by Commissioner Henderson and supported by Commissioner Adams to approve the RESOLUTION TO UTILIZE A PORTION OF THE ARPA FUNDS TO UPGRADE TECHNOLOGY IN THE COMMISSION CHAMBERS.

During Discussion, Commissioner Henry stated that the bids were presented to the Communication Committee and Deputy Director Clark and Manager Mitchell were to meet to discuss, and as chair of the Committee she is requesting this item be tabled, as bad as it needs fixed, this is the first time she has seen this Resolution and wants to make sure we get the best work, she would like it sent back to Communications Committee.

Mayor Muhammad read the Resolution.

Manager Mitchell stated that the item went through the normal bid process and the low bid was awarded, that particular company also had years of experience.

Clark-Griffin stated she helped Co-Chair that particular Communications meeting and according to Deputy Director Clark, a meeting was set to discuss an issue with the Harbor Media bid and when another issue was brought up at the last Communications meeting, it was stated that Parkway didn't provide enough information and Harbor Media was initially chosen.

Mayor Muhammad stated that the Manager's office is responsible for reviewing and choosing the award and that the City Council only approves the recommendations, they are not to be part of choosing the bid winner and that the process starts over if the recommendation is not approved.

Attorney Racht cited the City Ordinance Chapter 2, Article 4 Purchases, Contracts and Sales, Section 2-100 Purchases or contracts over \$3,500 talks about the process for purchasing and that the City Manager and staff make recommendations to the City Commission to approve or deny a bid and if denied the process starts over.

Discussion continued on the standards and requirements leading up to choosing a company.

Motion was made by Henderson and support by Adams to close the debate. Motion carried on the following roll call vote: YAYS: Commissioners Edwards, Henderson, Henry, Isom, Singleton, Mayor Pro Tem Seats, Commissioners Adams, Clark-Griffin, Mayor Muhammad. NAYS: None. Members Abstain: None. Members Absent: None.

Motion was made by Commissioner Henry and supported by Commissioner Adams to table this item. Motion carried on the following roll call vote: YAYS: Commissioners Edwards, Henry, Isom, Singleton, Adams, Clark-Griffin. NAYS: Commissioner Henderson, Mayor Pro Tem Seats, Mayor Muhammad. Members Abstain: None. Members Absent: None.

Motion was made by Commissioner Adams and supported by Commissioner Henderson to approve the AUTHORIZATION OF THE CITY MANAGER TO EXECUTE A CONTRACT WITH MEEKS CONTRACTING SERVICES FOR THE CONTRACT FOR THE 2022 CDBG SIDEWALKS PROJECT.

During discussion, Commissioner Adams asked how it was determined where sidewalks were being done. Manager Mitchell stated the decision was to give equal distribution in each ward and to find the worst areas in each ward.

Director Little stated they tried to put together contiguous pieces and a map was put together and sent to the Commissioners for input. He explained the process on spending HUD money and asked that Commissioners send in any other recommendations for future sidewalk projects.

Commissioner Clark-Griffin asked if Director Little could send out a copy of HUD recommendations. With no further discussion, **Motion carried** on the following roll call vote: YAYS: Commissioners Henderson, Henry, Isom, Singleton, Mayor Pro Tem Seats, Commissioners Adams, Clark-Griffin, Edwards, Mayor Muhammad. NAYS: None. Members Abstain: None. Members Absent: None.

Motion was made by Commissioner Adams and supported by Commissioner Singleton to approve the RESOLUTION TO ACCEPT SIX (6) PARCELS OF PROPERTY FROM CORNERSTONE.

During discussion, Commissioner Henry asked how Cornerstone acquired these properties and if the land was contaminated.

Director Little stated they are not situated where they were used as commercial so there is no reason to believe they would have been contaminated.

Mayor Muhammad read the Resolution.

Commissioner Adams asked why have they not went to adjacent homeowners.

Attorney Racht stated that being residential properties they don't normally need a Phase 1 environmental study.

Director Little stated that Cornerstone reached out to let the City know that they wanted to get rid of these properties. The City agreed to take them in hopes to develop them and get more tax income.

Mayor Pro Tem Seats commended Little for acquiring these properties that nothing is being done with because "God ain't making no more land".

Commissioner Henry stated that the land is more than likely contaminated from houses being tore down and debris being pushed into the ground.

Commissioner Singleton said that we need to take these properties back even if they are contaminated, that is what the Brownfield is for, to help get them cleaned up.

With no further discussion, **Motion carried** on the following roll call vote: YAYS: Commissioners Isom, Singleton, Mayor Pro Tem Seats, Commissioners Adams, Clark-Griffin, Edwards, Henderson, Mayor Muhammad. NAYS: Commissioner Henry. Members Abstain: None. Member Absent: None.

COMMUNICATIONS

Director McGinnis asked Director Little to put the City Center sidewalks on the list.

COMMISSION COMMENTS

Commissioner Adams stated she was hoping to hear from the Attorney regarding the lead line ordinance and stated if you want the whole street fixed, give consent for lines to be replaces so that can be next. She was also hoping to get someone to take care of the I.T. overall.

Commissioner Clark-Griffin wants residents to continue to speak up.

Commissioner Henry said YouTube is getting more people watching, people need to be told. And we need to find a way to open communication with the residents.

Commissioner Edwards said he will be cleaning up lots Monday and Tuesday during the good weather coming.

Commissioner Henderson said the Commission is always trying to do the best they can to make the community and lives better. There are a lot of things needing replaced/repared in the community that has been neglected.

Commissioner Isom announced Chat with the Chief every Monday at 9am. He stated the City has a lot going on, its going to be tore up for minute but we got a good team, so expect great things.

Commissioner Singleton said there are a lot of tough decisions to be made, but we have to keep moving and is glad we're in a position got do something about the lead, it is imperative we get things done.

Mayor Pro Tem Seats stated the school board is doing an outstanding job. It's a good year, and he's seeing Benton Harbor in a different light. He loves everyone's opinion and when you see Benton Harbor on the rise, it's a good day. We've come along way with the leadership we have.

Mayor Muhammad read about Lula Lee, the namesake of the Commission Chambers. He said the City is sitting on 69.1 million dollars, 45 million for infrastructure, 10 million for lead line replacement, 9 million to address any home with lead lines and 5.1 million in ARPA. On the brink of development for the City that has never been seen before.

MOTION TO ADJOURN

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

There being no further business to discuss, the meeting adjourned at 9:02 p.m.

Tiffany Moore, City Clerk

Marcus Muhammad, Mayor