

**MINUTES OF THE BENTON HARBOR CITY COMMISSION
BUDGET HEARING
LULA LEE COMMISSION CHAMBERS
JUNE 29, 2022**

The Budget Hearing of the Benton Harbor City Commission was called to order by Mayor Muhammad at 6:17p.m. Invocation led by Commissioner Singleton, followed by the Pledge of Allegiance led by Commissioner Adams. Roll call showed the following members present: Commissioners Adams, Clark-Griffin, Edwards (arrived at 7:09pm), Henderson, Henry, Isom, Singleton, Mayor Muhammad. Members Absent: Mayor Pro-Tem Seats. Also present: Community & Economic Development Director Little, Finance Director Hildebrand, City Manager Mitchell, and City Clerk Moore.

CITIZENS COMMENTS

Mr. Duncan asked about porta potties at the river. He stated Manager Mitchell said he ordered them for 3 parks. He wants to know about the boats pulling up to the banks because it's still happening, even during events. There is no excuse to put gas in the water like that for people to swim in. He doesn't want anyone to disrespect anyone in the chambers.

Elnora Gavin stated concern about how some residents are treated by elected officials, it was suggested by the city manager when the opportunity for a racial equity office was presented to speak with Whirlpool, Lakeland, Commissioner Singleton, Princess Tobias before moving forward. The whole idea you should speak with a business before you move forward defies the purpose of the racial equity office for the people. To say that is the same mindset that you have to have someone white, powerful, wealthy, in charge in order for your program to make sense. She heard the same thing from 1st Ward Commissioner that it was foolish to have that in a city such as this, and it should go to the County. She thought when it presented it made sense then learned there was an art to getting nothing done. Not doing this through the city is putting corporations before your people.

BUDGET HEARING – 2022/2023 FISCAL YEAR BUDGET

Mayor Muhammad opened the Budget Hearing at 6:27pm and turned the floor over to City Manager Mitchell to present the 2022/2023 Fiscal Year Budget.

Manager Mitchell stated that during the workshop different parts of the budget were gone through and tonight is an opportunity to ask questions and present it to public.

Commissioner Adams stated the budget mentioned rentals, and the city needs to own their own equipment. She asked Manager Mitchell and Financial Director Hildebrand to start a line item for racial equity and wanted to know if it was in the budget.

Manager Mitchell stated no, the city has been stripped and hurting from emergency managements and there are positions in the city that are critical, with people doing more than one job and has recommended that position not be included in the budget.

Adams stated upon speaking with city workers and knowing they are stretched, and something seems top heavy. If there is funding for another job, she's willing to give those now the benefit of the doubt and give them a raise instead of creating another position. Need quality from qualified people. People

lack so much training, she looked at documents when there was training through the Brownfield, who pays a consultant. Need to dig and find funding for a racial equity line item, it's unacceptable that money is being found for everything else.

Mayor Muhammad highlighted last year's budget being in the red and this year's budget being in the black. He thanked the citizens, staff, Personnel & Finance Committee, and all of Council but the city's belt still needs to be tightened as it's chin is just above water.

Commissioner Clark-Griffin stated at the workshop Manager Mitchell talked about creating a position for \$41,000, but no money can be found for racial equity. She does not agree with creating a new position or increasing the water rates.

Manager Mitchell clarified the new position is going to bring revenue to the city. The marijuana businesses have regulations and if the city is not doing their part in regulating, they will be in danger with the State. This position will be dealing with all businesses to make sure they are registered and in compliance, that person will be engaged in making sure revenue is collected and businesses are in compliance.

Commissioner Singleton asking if the justification that the new position, collecting money that hasn't been collected and enforcing the collection of that revenue would pay for itself and over and above.

Commissioner Henderson asked about the increase in salary and wages.

Manager Mitchell stated raises were given at the beginning of last fiscal year.

Commissioner Isom asked about the cemetery hiring 2 full-time and 2 part-time workers.

Manager Mitchell stated the plan was to hire 6 seasonal workers to take care of the cemetery and be available to the public works, with an opportunity to evaluate for permanent employment. The city was only able to hire 2, there is a shortage of willing workers, and may have to contract next season if we can't get any workers.

Commissioner Henry sees most jobs being offered are seasonal. Not seeing what the residents need, which would be a person offering a service. The money belongs to the residents and needs to funnel to some of their needs as an African American, one is jobs. Only 2 of 6 that applied could be employed because we aren't thinking outside of the box. Those 4 unqualified, if they were given a job and told that they needed to get a driver's license, they would get one. The Secretary of State is making it easy to do so.

Commissioner Adams stated that fund come in from marijuana applications and renewals. Code enforcement department needs to do what they were here to do, there is no need for another position.

Mayor Muhammad cited Section 7.7 of the charter. He stated the Council doesn't present the budget to the manager, the manager presents it to the Council, per the charter. The budget it being presented to approve, disapprove, or amend. A line item must be supported under a department.

Finance Director Hildebrand clarified to add a line item it would require an amendment, which can be done anytime after the budget is passed.

Commissioner Henderson clarified there will be a \$30,000 surplus after all the bills are paid. Asked if we are being asked to create a department out of the surplus.

Commissioner Henry clarified there is a surplus after raises, new positions, etc. If there's no money, it doesn't work, we need to find some. Places in the budget could be found to cut money, money can be rearranged. Last year we were told that we could and were going to amend the budget, but never did. We have to approve a budget, but we have to look out for the people.

Mayor Muhammad cited Section 7.7b of the charter and clarified each salary must fall under a department. A line item cannot be created and throw something in the budget. A department would have to be created by ordinance and 2/3 vote. A department that doesn't report to the Commission

would report to the Manager and the Manager would be involved. He would present to us, not us to him.

Commissioner Henry asked if we need to put a resolution on the floor to create a department and amend the budget, it could even be put in the Master Plan

Commissioner Clark-Griffin said that charter and bylaws can be changed.

Commissioner Henderson asked for clarification on the code enforcement position. Manager Mitchell stated he doesn't know if this position was there prior to emergency management but it should have been and it is needed.

Director Little stated in 2000, the city had 137 employees, now there are under 50 and they are trying to rebuild what's been lost.

Director McGinnis is addressing the efficiency of the Code Compliance office, for the last couple budgets, the Manager wanted to put it in there. The plan is to be self-functioning and address deficiencies.

Commissioner Singleton asked if deficiencies were because lack of being able to stay on top of it.

Commissioner Adams asked where the money for the city-wide cameras is located in the budget.

Mayor Muhammad responded that it isn't, it's ARPA.

Finance Director Hildebrand clarified that the budget amendments presented is money already spent and it's not up for discussion to be amended.

Commissioner Edwards asked for clarification on where the Parks & Rec \$82,747 budget came from. Hildebrand responded that the mostly the purpose is for managing JKP, and park is for cutting of grass at the parks.

Miguel Clark, supervisor of the summer youth program stated he would like to do something for the kids every other Friday. And asked if a 501c3 existed for Parks & Rec, he would like to add Park & Rec Conservancy to the Personnel & Finance Committee Agenda.

Mr Duncan would like to know why anything can't be done with 200 Paw Paw and Bobo Brazil Building and why the citizens can't get what their asked for. A Communication department was asked for and it went nowhere. Marijuana was asked for, everyone said no, but the citizens voted.

Elnora Gavin thanked the women in the room for standing up. The Mayor is correct, it takes a 2/3 vote, Singleton said he was a community activist, Isom said trust the process, the attorney has said the Commission has the power to make it happen, it was presented to Personnel & Finance and passed to Planning & Economic Development, Legislative didn't want it, but it was brought to the full body, the Mayor doesn't want it to happen, he's one vote, Henderson is one vote, but it's still something that can happen for the people, history can be made for the community, silence isn't the answer. The Finance Director told you how to do it. Doesn't understand what's going on, there's money here, but lack of vision. Without vision, the people will perish. Doesn't know what it takes, a new city manager, or a new government, or if this current body has enough vision to make it happen, it's a major priority. All it takes is someone to say yes we can do this. If you're not here for us, you're against us.

CONSENT CALENDAR

Commissioner Clark-Griffin requested to pull the **Ordinance Establishing the Millage Rate Request for Fiscal Year 2022-2023 AND Ordinance Approving the Budget Ordinance for Fiscal Year 2022-2023** for discussion.

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

ADOPT AN ORDINANCE APPROVING THE BUDGET AMENDMENTS TO THE FISCAL YEAR 2021-2022

SEPARATED ITEMS

Motion was made by Commissioner Adams and supported by Commissioner Singleton to ADOPT AN ORDINANCE ESTABLISHING THE MILLAGE RATE REQUEST FOR FISCAL YEAR 2022-2023

During discussion, Commissioner Henry asked for an explanation of the Millage Rate and why an ordinance for it is being passed every year. Finance Director Hildebrand stated the millage rates are set by the charter or electors and the millage gets adjusted by County Equalization, passing this is just a formality. Commissioner Clark-Griffin asked if the rates listed what was being voted on. Mayor Muhammad clarified that the Commission is voting on approving the millage rates presented. Commissioner Adams asked for clarification on when the millages are up and if there is a breakdown of what millages bring in. Hildebrand stated that there are tax records run through the Berrien County system that show line items for each one of the millages.

Mayor Muhammad called for the question. **Motion carried** on the following roll call vote: YAYS: Commissioners Edwards, Henderson, Henry, Isom, Singleton, Adams, Clark-Griffin, Mayor Muhammad. NAYS: None. Abstain: None. Absent: Mayor Pro Tem Seats

Motion was made by Commissioner Adams and supported by Commissioner Henderson to ADOPT AN ORDINANCE APPROVING THE BUDGET FOR FISCAL YEAR 2022-2023

During discussion, Commissioner Adams asked if the budget was amendable right now, or up for discussion to amend, would like to see the marijuana dollars being brought, along with the property taxes for the Alreco site to be added as a line item for racial equity. She stated she doesn't approve of the budget the way it's presented and would like to amend it. Mayor Muhammad clarified that the budget can be amended, based on Michigan Compiled Law and City Charter. Commissioner Clark-Griffin asked for clarity on what is being voted on to approve. Mayor Muhammad explained the budget packed that Manager Mitchell presented must be presented to the State of Michigan by July 1st. The Council can work with City Manager to amend the budget throughout the fiscal year.

Clark-Griffin asked why the budget was presented late. Manager Mitchell presented the schedule and process of the budget. Commissioner Henderson asked for clarity on each department pulling their budgets together based on their needs to run their department. In doing so, there is a \$30,000 surplus and asked how many times it went back and forth for discussion. Manager Mitchell stated several times with each department before it's presented to the body.

Mayor Muhammad called for the question. **Motion carried** on the following roll call vote: YAYS: Commissioners Henderson, Henry, Isom, Singleton Adams (with future amendments in mind),

Edwards, Mayor Muhammad. NAYS: Commissioner Clark-Griffin. Abstain: None. Absent: Mayor Pro Tem Seats

MOTION TO ADJOURN

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

There being no further business to discuss, the meeting adjourned at 8:17 p.m.

Tiffany Moore, City Clerk

Marcus Muhammad, Mayor