

**MINUTES OF THE BENTON HARBOR CITY COMMISSION
LULA LEE COMMISSION CHAMBERS
SEPTEMBER 19, 2022**

The regular meeting of the Benton Harbor City Commission was called to order by Mayor Pro Tem Seats at 7:02p.m. Invocation led by Commissioner Singleton, 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. Members Absent: Mayor Muhammad (arrived at 7:51pm). Also present: City Manager Mitchell, Public Safety Deputy Director Clark, Assessor Story, Community and Economic Director/Assistant City Manager Little, Finance Director Williams, Attorney Racht and City Clerk Moore.

APPROVAL OF MINUTES

A motion was made by Commissioner Isom and supported by Commissioner Henderson to approve the Regular Minutes of September 6, 2022. Motion carried on the following roll call vote: YEAS: Commissioners Henderson, Henry, Isom, Singleton, Mayor Pro Tem Seats, Commissioners Adams, Clark-Griffin, Edwards. NAYS: None. Members Abstain: None. Members Absent: Mayor Muhammad.

A motion was made by Commissioner Singleton and supported by Commissioner Edwards to approve the Zoning Board of Appeals Minutes of September 6, 2022. Motion carried on the following roll call vote: YEAS: Commissioners Henry, Isom, Singleton, Mayor Pro Tem Seats, Commissioners Adams, Clark-Griffin, Edwards, Henderson. NAYS: None. Abstain: None. Members Absent: Mayor Muhammad.

APPROVAL OF ACCOUNTS PAYABLE

A motion was made by Commissioner Adams and supported by Commissioner Edwards to approve the Accounts Payable Listing.

During discussion, Commissioner Edwards stated there are issues with Ring Central, but yet we are still paying them. Commissioner Henry stated that Ring Central doesn't work, she gets another Commissioner's voicemail and texts. She didn't receive full disclosure of the Attorney and Engineer, there's questions from last month so she will be voting no. Commissioner Clark-Griffin stated the Finance Director is commuting back and forth 3 hours. Some companies pay reimbursement and thinks he should get a tax free gas stipend or gas mileage reimbursement. As part of negotiation for appointment he already knew he was going to have to drive. Mayor Pro Tem Seats asked if that had been budgeted and if it can be brought back to next meeting to find out how much is being spent on gas, we don't know how much it's going to cost for the month or the rest of the year. Recommends a city car and city gas card instead of paying for someone's personal vehicle. That's something that needs to come in a different way, but doesn't disagree. Clark-Griffin stated an amount can be set. Commissioner Isom stated that this will be discussed on Wednesday at the Personnel & Finance Committee meeting. Seats stated an audit needs to be done on the city cars and gas. Commissioner Adams asked for an explanation on why a line item states per Commissioner for \$7000. Donations should not be coming through city finances. Manager Mitchell stated that was a donation for the employee dinner from a private individual. Director Little clarified through Commissioner Edwards, a private individual requested to donate to an employee appreciation cookout, he specifically asked to

make certain there wasn't issues that a letter was submitted from the city for that purpose, no taxpayer dollars were involved. Adams stated that this kind of stuff could be eliminated if it is taken to committee to all elected officials are informed. Clark-Griffin stated she remembers Commissioner Edwards stating he was doing it out of his pocket. Seats clarified this is solely stating there was a donation that come from a business owner to sponsor Larks BBQ. Seats asked Clerk Moore if she could review the tape and email the Commissioners for clarification. **Motion carried** on the following roll call vote. YEAS: Commissioners Isom, Singleton, Mayor Pro Tem Seats, Commissioners Adams, Clark-Griffin, Edwards, Henderson. NAYS: Commissioner Henry. Members Abstain: None. Members Absent: Mayor Muhammad.

CITIZENS COMMENTS

Archie Davis stated 3 weeks ago his father passed away, he was told by the Mayor that he was going to try to something to recognize the first 5 black firefighters of the city. John Billups is the one still living. He would like his father and the others that paved the way for the city and fought everyday for the city. He wants to make sure the Council does something to honor their names.

Spencer Nesbitt asked about the money being received for the downtown area, specifically the Art District. He asked why does that area get money when the residential area needs help. Where is the money getting allocated? What are you doing to say this is what you want done in the city? Are the holes in streets going to be fixed before Winter?

Nakeisha Williams was hoping to see Maurice Bruce and Bill the Inspector. She bought a house from the auction and it's not her fault that the City sold something to the Treasury and spoke to the Treasurer who said she talked to the City twice and never once did that say that they were supposed to do anything to the house or that the house was not supposed to be listed. And Bill said they had 30 days to fix the roof or the City is going to knock it down. Has seen Code Compliance, the Assessor has come out, has gotten compliments since the roof was fixed. Went through a lot to get the permit. The city wants people to pay city taxes but then are treated like garbage. Should not be treated like that over a permit. Other people stated no permit has ever been 30 days.

Ricky Williams stated he witnessed Maurice tell Bill not to give them a people and Bill stated he had to give those people a permit because they won't go away.

Michael Hoyh said skin of a crocodile and bite of a flea.

Rodney Alexander Jr stated he is a product of Benton Harbor and played 10 years overseas basketball professionally but is back in the community. He has been using Second Baptist Church gym and has about 120 kids that come to the gym every week and doesn't charge any kid. He wants to give back to the kids and would like to sit down and talk about the Armory and some point, it's where he started playing basketball. He wants to talk about the youth and how to help the youth and making things better for the youth.

CONSENT CALENDAR

Commissioner Adams requested to remove RESOLUTION APPROVING TRC BH LLC (THE RELEAF CENTER'S) SPECIAL USE PERMIT FOR AN ADULT-USE MARIHUANA RETAIL FACILITY LOCATED AT 326 E MAIN ST IN BENTON HARBOR for further discussion.

Commissioner Clark-Griffin requested to remove APPOINTMENT TO THE BROWNFIELD REDEVELOPMENT AUTHORITY (MICHAEL DAVIS-YATES) for further discussion.

Commissioner Clark-Griffin requested to remove RESOLUTION TO RENAME BROADWAY PARK TO JUNE WOODS PARK for further 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 Singleton, Mayor Pro Tem Seats, Commissioners Adams, Clark-Griffin, Edwards, Henderson, Henry, Isom. NAYS: None. Abstain: None. Absent: Mayor Muhammad

APPOINTMENT TO THE CEMETERY BOARD (BRUCE BUTGEREIT)

RE-APPOINTMENT TO THE BROWNFIELD REDEVELOPMENT AUTHORITY (JAMES CHILDS)

SEPARATED ITEMS

A motion was made by Commissioner Adams and supported by Commissioner Isom to approve the RESOLUTION TO APPROVE TRC BH LLC (THE RELEAF CENTER'S) SPECIAL USE PERMIT FOR AN ADULT-USE MARIHUANA RETAIL FACILITY LOCATED AT 326 E MAIN ST IN BENTON HARBOR

During discussion, Commissioner Adams stated she would not hold up progress on job creation or tax base. She mention New York City is about to give preferential treatment to those wrongfully accused of crimes, in jail, in prison, for marijuana. She hopes that the body will look at changing some things since it's required to look over the contracts every year. **Motion carried** on the following roll call vote: YAYS: Commissioners Adams, Clark-Griffin, Edwards, Henderson, Henry, Isom, Singleton. NAYS: None. Abstain: Mayor Pro Tem Seats. Absent: Mayor Muhammad

A motion was made by Commissioner Singleton and supported by Commissioner Henderson to approve the APPOINTMENT TO THE BROWNFIELD REDEVELOPMENT AUTHORITY (MICHAEL DAVIS-YATES)

During discussion, Commissioner Clark-Griffin asked if Mr. Yates was present. Commissioner Henderson clarified he appeared before the Legislative Committee. Clark-Griffin stated she had questions. Commissioner Adams stated she listened to him during the Legislative Committee meeting and was reminded that the young made made the statement that he worked for Cornerstone. She found it problematic that during last month's meeting Cornerstone came up with receipts from 12 years ago wanting reimbursement for \$123,000 and it's problematic with the way that people position themselves and for elected officials to play with your dollars. She is waiting on development agreement because within it there are plans made to pay out large amounts of money in increments. She doesn't want to stop anyone from serving and would like to think those that serve serve with truth, honestly and hold ourselves accountable. Has to trust that the young man wants to be part of something good in the community. Commissioner Singleton stated we tell our kids to go off and do things and some come back. He knows this young man and he will have the best interest of the community. Commissioner Henderson stated the item came through the Legislative Committee where they had an opportunity to speak with him. He's owned several businesses, he's an engineer and young African American gentleman that wants to serve the city. We can't say what someone's intensions are because they want to serve. There are not a lot that want to serve, we have to give people an opportunity and benefit of the doubt and trust their intensions. One of the best ways to learn about a committee is to serve. All

Commissioners had the opportunity to attend and ask questions. He was a great example of young people, specifically African American men that want to serve. Commissioner Henderson called for the question. **Motion carried** on the following roll call vote: YAYS: Commissioners Clark-Griffin, Edwards, Henderson, Henry, Isom, Singleton, Mayor Pro Tem Seats, Commissioner Adams NAYS: None. Abstain: None. Absent: Mayor Muhammad

A motion was made by Commissioner Henderson and supported by Commissioner Edwards to approve the RESOLUTION TO RENAME BROADWAY PARK TO JUNE WOODS PARK

During discussion, Commissioner Clerk-Griffin stated she did research and he moved to Benton Harbor when he was 67 years old from Tennessee. There are a lot of unsung heroes and a lot of people that are homegrown here in Benton Harbor. She stated let's honor those that are here doing stuff right now. Commissioner Henderson stated this item came through the Legislative Committee and there were people in attendance to answer questions. She agrees there are a lot of unsung heroes in the community and the goal is to honor and acknowledge them in some way, it's figuring out how to do so. Commissioner Singleton stated the item also came through Public Safety & Parks Committee. A presentation was done, many questions were asked and explanations were given and it was enlightening to hear something is still standing from something that happened from an African American in the 1800's. He concurs as we find out more and more about history, that we do need to do those things. Commissioner Adams stated that for her, the name doesn't sound familiar. She would like to know if any family members are here. Wished when it comes to stuff like this that comes through a committee so fast, that an item that has been tabled twice like racial equity would come through the Commission as fast. Pro Tem Seats asked Attorney Racht the process for renaming the park. Attorney Racht stated this is the correct way, by resolution, it has gone through two committees. Commissioner Edwards heard about this item months ago, and has been reading up on it, it's been through committee. Commissioner Henry stated with African American history being erased out of Benton Harbor history, it's good to find a person of color that was here doing things during that time. If we do this we should go further and bring out more history of what we've done and how we've got here. Broadway is just a street, June Woods means something. Mayor Muhammad apologized for his tardiness, he was on a panel at Boys & Girls Club to stop the violence. He echoed the sentiments of Henry. He mentioned Tiscornia Park, Jean Klock Park, Hall Park all named after families. Benton Harbor named after a US Senator, the County, named after an Attorney General from Georgia. When Andrew Jackson struck the state of Michigan into the Union, he stated he had to have 10 counties named after his cabinet. Wise people understand the connection to history. If it wasn't for the passing of Archie Davis, one of the first 5 black firefighters, there is no history of that on file at the fire station. A tree represents life, not only did June Woods plant trees, he was an entrepreneur, that's the kind of history our young people need to know. Commissioner Henderson called for the question. **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. Abstain: None. Absent: None

COMMUNICATIONS

Deputy Director Clark – no report

Assessor Story – field work for the year has started, same personas last year will be out, so if you see her out knocking on doors. Director McGinnis is informed of the area she will be working in.

Attorney Racht – Tuesday and Thursday of this week and Tuesday, Thursday, and Friday of next week he has jury and bench trials regarding blight properties in the city. . He did hear the Williams’ talk about 770 Waukaunda. He spoke with Code Compliance last week, he wasn’t sure if they talked about that specific property but they did talk about properties vacant, abandoned, condemned for 8-10 years, if a permit is asked for they must give a permit. When homes sit vacant and are open to the environment for years, that’s where problems start.

Finance Director Williams addressed payments from the Commissioners regarding McKenna. His office is still prepping for the upcoming audit. He referenced the question regarding infrastructure partnership. He spoke with the County Treasurer who referred him to Dan Fette. He reported there are 1542 residents 30 days past due on their water bills and 1407 60 days over due. He listed two city vehicles that are in good condition, a 2016 F150 and 2016 F250. The Paw Paw resurfacing project is to start April 1-June 1, 2023, they will do the curb and driveway first.

Clerk Moore reported she is preparing for the upcoming election, Absentee Ballots will be available at the end of the month and will be mailed the first week of October.

Director Little mentioned the end of September is the close of the federal fiscal year. Corner of Wall and Project T are prepping to go in front of MSHDA for review. Moving along well with HUD projects, still under the gun to meet the expenditure requirements. There were some issues that is being worked out with the Policy & Procedures, such as paying for an inspector out of CDBG funds. Manager Mitchell – no report.

COMMISSION COMMENTS

Commissioner Clark-Griffin thanked everyone for coming out and hopes maybe next time Mayor Pro Tem will remember her name.

Commissioner Henry stated the Master Plan doesn’t seem to be reaching people. She asked if the last payment to McKenna that was pulled from the last meeting had been paid, the job is not half done. Project T is on the old Mercy property, she’s heard there was going to be a Public Hearing 3 times since the project has been presented, but there’s been no Public Hearing.

Commissioner Edwards used an analogy about being blind then medical technology comes along, but remaining blind helps everyone, but getting sight offends people, so it’s better to stay blind.

Commissioner Henderson asked how residents are able to get ready for homes that are coming into Project T and how HUD is approaching that process. She asked when the last official day for lawn cutting season.

Commissioner Adams addressed Mr. Archie Davis, she stated she would like to send him an email, along with the fire chief with information of an opportunity for funding to plan an event for 9/11 of next year and thought it would be a good opportunity to honor the 5 firefighters. Applauded Pastor Torres Montgomery for his service. She started a non-profit because she could see she wouldn’t be able to get anything done so she wanted to turn it over to the community for them to take over to keep things from being stagnant and dormant. She wants to see the Armory up and running.

Commissioner Isom stated that we need to honor the people that help build the city. Public Works is key, a lot of development is coming to the City.

Commissioner thanked those that were appointed to the boards, there’s not a lot of people running. It’s good to see young folks coming back and wanting to do something.

Mayor Pro Tem Seats would like Mr. Alexander to come to the Community & Economic Development Committee to get the ball rolling on the Armory. Commends the body for hard work and determination. It was good to see people mingling during the employee appreciation, there’s nothing wrong telling someone thank you when they do something they don’t have to do. Public Works is out

there, streets are cleaner than they've ever been. Took point of privilege stating it is illegal to charge people for water they can't drink, thinks the body needs to revisit that. Was approached by someone stating an issue at the cemetery where someone was buried next to her husband, hopes that can get rectified. He appreciates the Mayor for standing tall in the community with everything that happened the past couple years.

Mayor Muhammad reported he was invited by the White House to participate in President Biden's address to the City of Detroit this past Wednesday. Had an opportunity to shake his hand and introduce himself. He took the time to say two words that could possibly resignate, he shared he was the Mayor of Benton Harbor, the President said he had a hard job and thanked him for what he does. He toured Lake Michigan, the St Joe River, as it relates to boating and recreation, it's a \$20 million dollar annual business for this area, this is a major market and we need to get involved in. It's important that we change how we are conducting and doing business for the better, how we talk and treat one another, the world is watching Benton Harbor.

MOTION TO ADJOURN

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

The regular meeting was adjourned by Mayor Muhammad at 8:40pm.

Tiffany Moore, City Clerk

Marcus Muhammad, Mayor