

**MINUTES OF THE BENTON HARBOR CITY COMMISSION MEETING  
LULA LEE COMMISSION CHAMBERS  
NOVEMBER 2, 2015**

The regular meeting of the Benton Harbor City Commission was called to order by Mayor Hightower at 7:00 p.m. Invocation was given by Sharon Henderson, which was followed by the Pledge of Allegiance. Roll call showed the following members present: Commissioner Isom, Mayor Pro-Tem Henderson, Commissioners Henry, Jones, Muhammad and Mayor Hightower. Members Absent: Commissioners Adams (arrived at 7:01 p.m.; left at 8:58 p.m. ), Haralson (arrived at 7:12 p.m.) and Seats (arrived at 7:03 and left at 8:56 p.m.). Also present: City Manager Watson, Acting Public Safety Director McGinnis left at 9:19 p.m.) and Deputy City Clerk Osler.

**APPROVAL OF AGENDA**

A motion was made by Commissioner Henry and supported by Commissioner Adams to suspend Items # 1 and 2 on page 7 of the Council Rules/Policies & Procedures carried unanimously on the roll call vote.

A motion was made by Commissioner Muhammad and supported by Mayor Hightower to remove Consent Calendar Item (ADOPT A RESOLUTION APPROVING THE APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY – SAMANTHA JORDAN) from the Consent Calendar and entertaining it as a separate resolution carried unanimously on the roll call vote.

**REGULAR MEETING MINUTES – OCTOBER 19, 2015**

A motion was made by Mayor Pro-Tem Henderson and supported by Commissioner Adams to approve the Regular Minutes of October 19, 2015 with any necessary corrections or deletions. The motion carried unanimously on the roll call vote.

**CITIZENS' COMMENTS**

Willie Dortch, owner of the Jump Off, announced that his club is now closed to the public and open for members only. He said that the Jump Off was shut down an hour before the tragic incident occurred on Sunday.

Jerry Edwards, President of Bracken Edwards Youth Organization Umbrella (BEYOU), thanked the City Commission for all of the support and stated that he would like to continue working with it in the future for the betterment of the youth.

James Duncan expressed a concern that there isn't a permanent gymnasium for the youth to use in the community.

Bryan Joseph of 1160 Hannah Court clarified that he didn't quit the City Commission; he was excused from the meeting by an emergency manager order.

## CONSENT CALENDAR

The following Consent Calendar items were presented by City Manager Watson, moved by Commissioner Muhammad and supported by Commissioner Haralson carried unanimously on the roll call vote.

### RESOLUTIONS:

ADOPT A RESOLUTION APPROVING THE APPOINTMENT TO THE BROWNFIELD REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS (RAHIM ABDULLAH)

ADOPT A RESOLUTION APPROVING THE REAPPOINTMENT TO THE DIAL-A-RIDE (CHARLES YARBROUGH)

## SEPARATED RESOLUTIONS

After discussion, a motion made by Mayor Pro-Tem Henderson and supported by Commissioner Adams to ADOPT A RESOLUTION APPROVING THE APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY (SAMANTHA JORDAN) carried unanimously on the roll call vote.

## OLD BUSINESS

A motion was made by Commissioner Muhammad and supported by Commissioner Haralson to remove (ADOPT A RESOLUTION APPROVING THE PURCHASE OF EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT) from the table carried unanimously on the roll call vote. After discussion, the item, presented by City Manager Watson, moved by Commissioner Muhammad and supported by Mayor Pro-Tem Henderson to approve it failed on the following roll call vote. Yeas: Commissioner Isom, Mayor Pro-Tem Henderson, Commissioner Haralson and Mayor Hightower. Nays: Commissioners Adams, Henry, Muhammad, Jones and Seats. Members Abstain: None. Members Absent: None.

A motion was made by Commissioner Seats and supported by Commissioner Muhammad to remove (ADOPT A RESOLUTION APPROVING THE UTILIZATION OF THE MICHIGAN MUNICIPAL LEAGUE FOR AN EXECUTIVE SEARCH FOR THE FINANCE DIRECTOR/TREASURER) from the table carried unanimously on the roll call vote. After discussion, the item presented by City Manager Watson, moved by Commissioner Seats and supported by Commissioner Muhammad to approve it carried unanimously on the roll call vote.

A motion was made by Commissioner Adams and supported by Mayor Pro-Tem Henderson to remove (ADOPT A RESOLUTION APPROVING THE SALE OF CITY-OWNED PROPERTY 11-51-0805-0035-01-7) from the table carried unanimously on the roll call vote. After discussion, the item, presented by City Manager Watson, moved by Mayor Hightower and supported by Commissioner Adams to table it carried unanimously on the roll call vote.

## COMMUNICATIONS

Deputy City Clerk Osler announced the polling locations and times for the November 3, 2015 General Election.

City Manager Watson informed all that leaf pick-up is on Wednesdays, Thursdays and Fridays until December 1<sup>st</sup>. He announced upcoming meetings and events. He congratulated Coach U and the Benton Harbor Varsity football team on its first ever appearance to the playoffs. He said that an update on Union Field will be released later on in the week.

## COMMISSION COMMENTS

Commissioner Adams thanked everyone for attending tonight's meeting to see the local government in action. She expressed her love for living in America. She opposed the comment that Colfax hasn't been repaired in over 40 years and clarified that it has been done twice since she's returned to the community. She stated that there is great change upon us and encouraged everyone to get out to vote tomorrow. She congratulated the Benton Harbor Tigers on their victory.

Commissioner Muhammad thanked residents for attending tonight's meeting to see their government at work. He encouraged everyone to get out to vote tomorrow. He said that he's tried to maintain the high road and remain focus on the issues; not personal attacks on anyone. He said that it's been a great journey that he wouldn't change for anything.

Commissioner Jones thanked everyone for attending tonight's meeting and congratulated those appointed to boards. He spoke on the nightlife and gave encouraging words to families affected by its mishaps. He said that there should be more precaution taken at these events. He cautioned everyone on the manner in which they deal and speak to each other. He also spoke on the inventory of vehicles and maintenance. He encouraged all to do their due diligence on matters.

Commissioner Seats thanked Mayor Hightower for his service. He spoke on the educational system and the need to move it forward to a better place. He also clarified that the City Commission did not vote to give away the \$200,000.00 donation to the Benton Harbor Area Schools for a swimming pool that is currently

inactive. He expressed how the agreement for the swimming pool was done and stated that there were other options proposed for the donation in an effort to better serve the community. He informed everyone that he will be on the radio shortly to speak more on things. He encouraged all to get out to vote tomorrow and urged candidates, if they are elected, not to be excused from meetings.

Commissioner Henry thanked residents for attending tonight's meeting. She stressed the importance of voting tomorrow for change and encouraged all to get involved.

Commissioner Isom thanked citizens for attending tonight's meeting and stated that it's their obligation to support them. He gave a report of his campaign as he walked and talked to residents. He encouraged everyone to vote tomorrow.

Commissioner Haralson thanked citizens for attending tonight's meeting to see their government in action and City Manager Watson for clearing the alleys. She encouraged everyone to go out to vote. She expressed concerns with the tragedies happening in the City and stated that she prays something is done. She urged citizens to get involved in their neighborhoods and community.

Mayor Pro-Tem Henderson informed everyone that she's been active in the community prior to running for office and stated that she will continue to do so. She encouraged all to get out to vote tomorrow.

**After brief discussion, a motion was made by Commissioner Adams and supported by Mayor Pro-Tem Henderson to approve the following resolution carried unanimously on the roll call vote.**

WHEREAS, On July 17, 2015, an article was published in the Herald Palladium related to the establishment of a Public Defender's Office in Berrien County, and

WHEREAS, Judge Gary Bruce and other officials recommended that such an office be established to provide better legal representation for indigent clients, and

WHEREAS, as a part of the justification, Judge Bruce cited a 2012 study that showed Michigan ranked 44<sup>th</sup> among states in per capita spending for indigent cases, which is 38 percent below the national average;

THEREFORE, BE IT RESOLVED, that Mayor Hightower and the Benton Harbor City Commission supports the establishment of a Public Defender's Office in Berrien County.

**A motion was made by Commissioner Henry and supported by Commissioner Adams to change the wording in the policy and procedures from Vice Chair to Co-**

**Chair. After discussion, a motion was made by Mayor Hightower and supported by Commissioner Adams to table and send it to the Legislative Committee for further discussion carried** on the following roll call vote. Yeas: Mayor Pro-Tem Henderson, Commissioners Isom, Haralson, Adams and Mayor Hightower. Nays: Commissioner Henry. Members Abstain: None. Members Absent: Commissioner Seats. **\*\*(Please note – Commissioners Muhammad and Jones briefly left the room during the roll call vote.)\*\***

Mayor Hightower thanked everyone for attending tonight's meeting and staying for the duration of it. He encouraged everyone to get out to vote tomorrow and make intelligent choices.

### **CLOSED SESSION**

**A motion was made by Commissioner Haralson and supported by Mayor Pro-Tem Henderson to go into Closed Session for a personnel matter for the settlement of a contract carried** unanimously on the roll call vote.

The regular meeting recessed to go into Closed Session at 9:04 p.m. and reconvened at 9:19 p.m. The following action was taken as a result of the Closed Session.

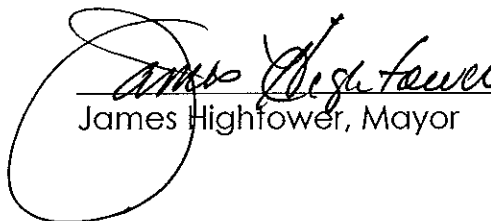
### **MOTION FOR SETTLEMENT OF THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) CONTRACT**

**A motion made by Commissioner Haralson and supported by Mayor Pro-Tem Henderson to approve the AFSCME contract settlement as presented in the November 2015 Memorandum that was presented in Closed Session carried** unanimously on the roll call vote.

### **MOTION TO ADJOURN**

There being no further business to discuss, the meeting adjourned at 9:21 p.m.

  
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 Kimberly Thompson, City Clerk

  
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 James Hightower, Mayor