

APPROVED - 12/17/15

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3 CITY OF BENTON HARBOR  
4 RECEIVERSHIP TRANSITION ADVISORY BOARD MEETING  
5 AUGUST 11, 2015  
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10 City of Benton Harbor Receivership Transition Advisory  
11 Board Meeting held 8/11/15 at Commission Chambers,  
12 Benton Harbor City Hall, 200 East Wall Street, Benton  
13 Harbor, Michigan at 11:00 a.m.  
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23 REPORTED BY: Ms. Alison R. Huffman - CSR-0945  
24 Certified Court Reporter  
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BOARD MEMBERS:

MR. LARRY STECKELBERG (Chairman)

MS. SHARON HUNT

MR. MARVIN RAGLON

TREASURY STAFF:

MR. ROBERT WIDIGAN

BENTON HARBOR STAFF:

MR. DARWIN WATSON (City Manager)

1 Benton Harbor, Michigan

2 Tuesday, August 11, 2015 - 11:00 a.m.

3 MR. STECKELBERG: All right. I'm going to call  
4 to order the Receiver Transition Advisory Board for Benton  
5 Harbor for today.

6 Please take the roll.

7 MR. WIDIGAN: All right. Larry Steckelberg?

8 MR. STECKELBERG: Here.

9 MR. WIDIGAN: Marvin Raglon?

10 MR. RAGLON: Here.

11 MR. WIDIGAN: Sharon Hunt?

12 MS. HUNT: Here.

13 MR. WIDIGAN: And let the record please note  
14 that Bret Witkowski is absent, but we do have a quorum.

15 MR. STECKELBERG: And just so people know, Bret  
16 is at a conference for treasurers in Grand Rapids that  
17 wraps up later today, so he's off on professional activity  
18 and could not get back for this meeting.

19 Just to remind the public, if they wish to  
20 speak, please sign up at the table and we'll have a  
21 public-speaking time.

22 Move to approve the Agenda for this meeting?

23 MR. RAGLON: I so move.

24 MS. HUNT: I second.

25 MR. STECKELBERG: Moved and seconded.

1 All those in favor?

2 MR. RAGLON: Aye.

3 MS. HUNT: Aye.

4 MR. STECKELBERG: Aye.

5 Approval of the RTAB minutes of June 24th, 2015.

6 I'll entertain a motion.

7 MS. HUNT: I make a motion to approve the  
8 June 24th, 2015 minutes with the noted clarifications.

9 MR. STECKELBERG: Yes.

10 MR. RAGLON: I second.

11 MR. STECKELBERG: Moved and seconded.

12 We have no old business.

13 We have new business.

14 Approval of the resolutions and ordinances for  
15 the June 15th, 2015 City Commission meeting.

16 MR. RAGLON: I make a motion that we approve the  
17 June 15th --

18 MS. HUNT: I second.

19 MR. STECKELBERG: Moved and seconded.

20 All those in favor?

21 MR. HUNT: Aye.

22 MR. RAGLON: Aye.

23 MR. STECKELBERG: Aye.

24 I'll entertain a motion for approval of the  
25 resolutions and ordinances from the July 6th, 2015

1 regular City Commission meeting.

2 MS. HUNT: I make a motion to approve the  
3 resolutions and ordinances from the July 6th, 2015  
4 regular City Commission meeting.

5 MR. RAGLON: I second that motion.

6 MR. STECKELBERG: All those in favor?

7 MR. RAGLON: Aye.

8 MS. HUNT: Aye.

9 MR. STECKELBERG: Aye.

10 And then, finally, I'll entertain a motion  
11 for approval of the resolutions and ordinances from the  
12 July 20th, 2015 regular City Commission meeting.

13 MR. RAGLON: I make a motion that we approve the  
14 resolutions and ordinances from the July 20th, 2015 City  
15 Commission meeting.

16 MR. STECKELBERG: All those in favor?

17 You seconded?

18 MS. HUNT: Yes.

19 MR. RAGLON: Aye.

20 MS. HUNT: Aye.

21 MR. STECKELBERG: Aye.

22 And now we turn to the City Manager Items.

23 MR. WATSON: Thank you.

24 First on the Agenda is our Community Development  
25 Fiscal Year 2015 Plan. We had -- as an entitlement

1 community, the City of Benton Harbor receives dollars  
2 from the Community Development Block Grant. We held two  
3 public hearings, one on the 24th of June, one on the 13th  
4 of July, and there was a 10-day comment period post that  
5 last public hearing. We brought it to the Commission for  
6 vote on August 6th. It was tabled. Then it was -- I'm  
7 sorry. It was on July 20th we brought it to the  
8 Commission for a vote and it was tabled, and then we had  
9 to then have it re-submitted to the Commission, and it was  
10 approved at the last Commission meeting on August the <sup>3rd,</sup> ~~6th,~~  
11 which I do believe would not have been covered on this  
12 RTAB's review.

13 So we're asking that it be pulled forward. We  
14 have a deadline of August 16th to get that submitted to  
15 HUD for review and approval, and we're asking the RTAB to  
16 bring that forward for approval at this time.

17 MR. STECKELBERG: All right. Well, any  
18 discussion?

19 MR. RAGLON: So you're asking it be brought  
20 forward so you can meet the deadline, the August deadline  
21 date?

22 MR. WATSON: Yes, sir. It would have been  
23 normally on your Agenda had it been approved on the 20th.  
24 However, it got tabled and pushed to the <sup>3rd</sup> ~~6th,~~ so we did  
25 get it approved at that time, and we're asking that you

1 now approve it at this time because, if not, we would not  
2 have made the deadline, absolutely.

3 MR. RAGLON: I understand.

4 MR. STECKELBERG: All right. Then I'd entertain  
5 a motion to approve the Community Development Fiscal Year  
6 2015 Annual Plan as approved by the City Commission.

7 MS. HUNT: I second.

8 MR. STECKELBERG: All those in favor?

9 MS. HUNT: Aye.

10 MR. RAGLON: You didn't make the motion.

11 MR. STECKELBERG: Oh, I didn't? Well, let's  
12 assume she made the motion.

13 MR. RAGLON: I'll second that motion.

14 MR. STECKELBERG: Motion carries.

15 All those in favor?

16 MS. HUNT: Aye.

17 MR. RAGLON: Aye.

18 MR. STECKELBERG: Aye.

19 At-Large Commissioner Appointment.

20 MR. WATSON: Thank you.

21 Last night, the City Commission had a special  
22 meeting to fill the position of commissioner at-large.  
23 Unfortunately, we had a commissioner, Mary Donald, pass  
24 away and the Commission appointed and approved the  
25 appointment of Mr. Edward Isom for that position, to

1 fill that, the position that ends on -- that term ends  
2 December 31st, 2015.

3 So I'm asking that the RTAB pull that forward,  
4 asking that to be approved now so that we can get him in  
5 the seat and he can begin serving in that capacity.

6 MR. STECKELBERG: All right. Now I'll entertain  
7 a motion to approve the appointment of Edward Isom to  
8 fill the vacancy of the at-large position of commissioner  
9 as approved by the City Commission.

10 MR. RAGLON: I so motion.

11 MS. HUNT: I second.

12 MR. STECKELBERG: All those in favor?

13 MR. HUNT: Aye.

14 MR. RAGLON: Aye.

15 MR. STECKELBERG: Aye.

16 Motion carries.

17 Next is the Department of Labor Claim.

18 MR. WATSON: Thank you.

19 There was a wage-and-hour complaint filed  
20 against the City of Benton Harbor that we got approved  
21 on August the ~~6th~~<sup>3rd</sup> by the City Commission for our Public  
22 Safety Department. We are now going forward with getting  
23 that settled and getting the persons made whole in that.

24 I want to let it be known that I talked to  
25 Mr. Bill Hooth from Giarmarco. I can't remember the other



1 two, but it's being -- at the Department of Labor, they  
2 have administratively closed it. So we're just actually  
3 settling this with the actual independent persons affected  
4 by the claim, and that was as a result of the tabling of  
5 that resolution to honor the settlement. So the  
6 Department of Labor has closed it, and we will be  
7 basically dealing with the individual persons that were  
8 affected.

9 So I'm asking that the RTAB -- this be pulled  
10 forward from the August <sup>3rd</sup>~~6th~~ meeting to be approved by the  
11 RTAB so we can facilitate getting that settled with the  
12 public safety persons affected.

13 MS. HUNT: When you say settle it, does that  
14 mean paying them out?

15 MR. WATSON: Yes, ma'am.

16 MR. STECKELBERG: Any other discussion?

17 Then I'll entertain a motion to approve the  
18 Department of Labor Claim Settlement as approved by the  
19 City Commission on August <sup>3rd</sup>~~6th~~.

20 Is that correct?

21 MR. WATSON: Yes.

22 MR. RAGLON: I so motion.

23 MS. HUNT: I second.

24 MR. STECKELBERG: All those in favor?

25 MS. HUNT: Aye.

1 MR. RAGLON: Aye.

2 MR. STECKELBERG: Aye.

3 Next up is Board and Committee Appointments.

4 And, Mr. Watson, if you could tell me if we have  
5 clearance to appoint these individuals.

6 MR. WATSON: There is -- yes. We have Mr.  
7 Don Tynes who was appointed to the Personnel Finance  
8 Committee, Miss Samrosette Hardnett who was appointed to  
9 the Brownfield Redevelopment Authority and Mr. Charles  
10 Jennings who was appointed to the Planning Commission.

11 We're asking that those be brought forward  
12 because there are board meetings that will occur this  
13 month and next month that these persons are needed for  
14 a quorum, to make sure we have a quorum to conduct  
15 business.

16 These were approved at the August <sup>3rd</sup>~~6th~~ City  
17 Commission meeting and we're asking that they be brought  
18 forward to be approved at this time.

19 MR. STECKELBERG: Was there one appointment to  
20 the Planning Commission for one opening?

21 MR. WATSON: Yes.

22 MR. STECKELBERG: I'm going to start with,  
23 first one, entertain a motion to approve the appointment  
24 of Samrosette Hardnett to the Brownfield Redevelopment  
25 Authority as approved by the City Commission.

1 MR. RAGLON: I so motion.

2 MS. HUNT: I second.

3 MR. STECKELBERG: All those in favor?

4 MR. RAGLON: Aye.

5 MS. HUNT: Aye.

6 MR. STECKELBERG: Aye.

7 Next, I'll entertain a motion to approve the  
8 appointment of Don Tynes to the Personnel Finance  
9 Committee as approved by the City Commission.

10 MR. RAGLON: So motion.

11 MS. HUNT: Second.

12 MR. STECKELBERG: All those in favor?

13 MS. HUNT: Aye.

14 MR. RAGLON: Aye.

15 MR. STECKELBERG: Aye.

16 Go ahead, Mr. Widigan.

17 MR. WIDIGAN: You had mentioned there was an  
18 individual appointed to the Planning Commission. When we  
19 did the Agenda, we were going off your memo and it said  
20 there was a Cory Bell.

21 MR. WATSON: I'm sorry. You're right. Cory  
22 Bell. It was Cory Bell, not Charles Jennings. That's my  
23 mistake. Cory Bell did get approved. At the time, there  
24 was an issue. He got re-submitted and he was approved on  
25 August the <sup>3rd.</sup>~~6th.~~ So he did get approved to be placed on

1 the Planning Commission, yes.

2 MR. WIDIGAN: All right.

3 MR. WATSON: I'm sorry. There was the last one.

4 MR. STECKELBERG: So our motion here will be  
5 to entertain a motion to approve the appointment of Cory  
6 Bell.

7 MR. WATSON: Correct.

8 MR. RAGLON: To the Planning Commission?

9 MR. WATSON: To the Planning Commission, yes.

10 MR. STECKELBERG: Got it. All right. I'll  
11 entertain a motion to approve the appointment of Cory Bell  
12 to the Planning Commission as approved by the City  
13 Commission.

14 MR. RAGLON: So motion.

15 MS. HUNT: I second.

16 MR. STECKELBERG: All those in favor?

17 MS. HUNT: Aye.

18 MR. RAGLON: Aye.

19 MR. STECKELBERG: Aye.

20 All right. Next up is acceptance of a portion  
21 of Klock Road.

22 MR. WATSON: Thank you.

23 The State of Michigan contacted the City of  
24 Benton Harbor about a section of Klock Road, which was the  
25 old M-63 exchange. When they did a modification to that

1 area in early -- late -- in the late 1990s, early 2000s,  
2 they leveled the overpass and kept that section there.  
3 It's designated as a state trunk line now.

4 The Department of Transportation has made an  
5 offer to the City of Benton Harbor to accept that.  
6 It's about 3/10ths of a mile into the City's Major Street  
7 System. That section is in great shape and we'll get  
8 paid by the -- through Act 51 for the maintenance of it.  
9 It will be included in there, and that equates to about  
10 \$8,000 annually as the numbers are right now.

11 So the City Commission did pass that on  
12 August the ~~6th~~<sup>3rd</sup> and we are kind of time-restricted because  
13 we have to get it to the Department of Transportation so  
14 that they can do their due diligence and get it basically  
15 given to us as soon as the RTAB approves it. So we need  
16 that. I'm asking that that be approved at this time.

17 MR. STECKELBERG: Any discussion?

18 All right. I'll entertain a motion to approve  
19 the acceptance of a portion of Klock Road into the Major  
20 Streets System.

21 MR. RAGLON: So motion.

22 MS. HUNT: I second.

23 MR. STECKELBERG: All those in favor?

24 MR. RAGLON: Aye.

25 MS. HUNT: Aye.

1 MR. STECKELBERG: Aye.

2 All right. Next up is Project Resiliency.

3 MR. WATSON: As you've seen if you've come in  
4 the front door, there's a project that we're very proud  
5 of. The Red Cross has allowed the City of Benton Harbor  
6 to be the recipients of a piece of the World Trade Center  
7 that is going to be displayed in the plaza across the  
8 street, as you see the construction going on today.  
9 That unveiling is going to happen on September the 11th  
10 of this year.

11 For purposes of information, I want to let the  
12 RTAB and those that are here know that we are inviting  
13 everyone to be there on that date. It's going to be  
14 something we're really proud of as we, you know, do  
15 reconstruction downtown.

16 There is a private collaboration with this one.  
17 We are not going to be responsible for any of the  
18 maintenance or upkeep of this plaza. It will strictly be  
19 done by private donations, so just for your informational  
20 purposes.

21 MR. STECKELBERG: Thank you very much.

22 MR. RAGLON: Who is the donor? Who is the  
23 private donor? Are you at liberty to say?

24 MR. WATSON: It's a 501c3 called World Trade  
25 Firmitas that has a group of people that's involved, but

1 I don't want to start naming people and forget somebody,  
2 but I know Mr. Colovos is like the spearhead on this,  
3 but he has basically contacted several donors to be a  
4 part of this.

5 MR. RAGLON: Peter?

6 MR. WATSON: Peter Colovos, yes.

7 MS. HUNT: I have a question. It's such an  
8 honor to have that --

9 MR. WATSON: Uh-huh.

10 MS. HUNT: -- monument built.

11 What was the criteria and how were we selected  
12 just so we can know?

13 MR. WATSON: That same group, the World Trade  
14 Firmitas, made the plea to the Red Cross. The Red Cross  
15 got this piece about four years ago. It was basically  
16 given to the local Red Cross, and they made a plea to  
17 them to get it and display it here in the City of Benton  
18 Harbor. Through conversations and applications, that  
19 was granted to us. So that was how it came to be here.

20 The project has taken three years to come to  
21 fruition; that was raising money, figuring out where the  
22 spot was going to be, working with the Harbor Authority,  
23 New York-New Jersey Harbor Authority as well, and then  
24 there were two gentlemen who went and picked it up that  
25 were local here, two I believe firefighters that went and

1 picked it up, so it's now being housed and then it's  
2 going to be displayed, like I said, starting September  
3 the 11th.

4 MR. RAGLON: This is an actual piece of the old  
5 World Trade Center?

6 MR. WATSON: Yes, sir. It's a natural piece of  
7 the World Trade Center.

8 MR. RAGLON: That's quite an honor.

9 MR. WATSON: Yes, yes. We are very, very happy  
10 and very fortunate to have that in our community.

11 MS. HUNT: Will this group also secure that  
12 there's no vandalism and making sure that it's  
13 protected?

14 MR. WATSON: That was one of the reasons for  
15 the placement of it. It's right across from the Fire  
16 Department as well as the Public Safety Department, and  
17 one of the things that was given to us when we talked  
18 about it was that they wanted to put it in a place that  
19 was symbolic or in close proximity to those who were the  
20 ones who responded in that field, so public safety  
21 officers, firemen, they wanted to place it somewhere  
22 where they could see it and be easily accessible.

23 So I think one of the things that's going to  
24 happen is people are going to take ownership of it,  
25 those that are first responders, and ensure that that



1 will happen, along with Public Safety and the City as a  
2 whole.

3 MS. HUNT: Great.

4 MR. WATSON: Yes.

5 MR. STECKELBERG: Thank you very much.

6 Next up, information on the Contract  
7 Negotiations.

8 MR. WATSON: We are currently in negotiations  
9 with both AFSCME as well as the Fraternal Order of Police,  
10 which are public safety and general employees, just to let  
11 the RTAB know that we're going through conversations with  
12 both those unions. Those contracts expire July 1 of 2015  
13 and we're working expeditiously to get them done and they  
14 will be probably coming to you once they get -- we get the  
15 package done, the Commission then approves it. We will  
16 then be giving it to you for your approval.

17 MR. STECKELBERG: And the Senior PGA?

18 MR. WATSON: Senior PGA. We are fortunate again  
19 in our community to have the Senior PGA be a part of 2014,  
20 '16 and then again in 2018. They have started  
21 conversations now for the 2016 PGA to be held the week  
22 following -- leading up to, I'm sorry, Memorial Day in  
23 2016.

24 So, again, that's just something for  
25 informational purposes to let everyone know that we're

1 in negotiations with them, working out logistics with  
2 them and making sure we put our best foot forward for the  
3 PGA.

4 MR. STECKELBERG: Excellent. By 2018, is  
5 Tiger Woods going to be on the senior tour?

6 And then, lastly, the potential sale of  
7 200 Paw Paw.

8 MR. WATSON: We've been going back and forth  
9 with the old Business Growth Center. We've had two offers  
10 on it and could not come to terms with that. I know, as  
11 a part of the final order, Mr. Saunders put in there that  
12 payment of that building -- the sale of that building will  
13 go toward helping pay off the pension. We've not gotten  
14 a sale yet. We've had actually two offers. We started  
15 working through it and then they both -- they both have  
16 fallen through, so just to let you guys know what's going  
17 on.

18 MR. STECKELBERG: As always, if that or any  
19 other item comes up that requires quick action, we'll  
20 schedule a special RTAB meeting. At this point, I think  
21 our next one would be, on the two-month process,  
22 October --

23 MR. WATSON: Yes.

24 MR. STECKELBERG: -- but there may be a few  
25 things that come up with contract negotiations and other

1 issues that will require a September meeting, also.

2 All right. Mr. Widigan, you wanted to discuss  
3 a motion on granting authority under the Open Meetings  
4 Act.

5 MR. WIDIGAN: So in keeping with the Open  
6 Meetings Act and to be consistent with our RTABs, mainly  
7 to ensure the public is informed as to when and where the  
8 meetings are held, we'd like to recommend that we appoint  
9 these individuals or the Board allow these individuals to  
10 post on behalf of the Board. So if there's a special  
11 meeting or a change in date, the three individuals from  
12 the Treasury and the two individuals from the City are  
13 authorized to post on behalf of this Board itself.

14 MR. STECKELBERG: Any questions?

15 I'll entertain a motion to grant authority to  
16 post notices on behalf of this Board to Angela Dempkowski,  
17 Penny Ducat, Christina McAlvey, Lisa Golliday and Kimberly  
18 Thompson.

19 MR. RAGLON: I so motion.

20 MS. HUNT: I second.

21 MR. STECKELBERG: All those in favor?

22 MR. RAGLON: Aye.

23 MS. HUNT: Aye.

24 MR. STECKELBERG: Aye.

25 Nonaction items are in your packet. Budget to

1 actual report for June 30th, 2015 and the budget to actual  
2 for the quarter ending June 30th, 2015.

3 Any questions on those that you have?

4 All right. And then City Manager Update.

5 MR. WATSON: I think we hit pretty much  
6 everything on the update, your Honor.

7 MR. STECKELBERG: Okay. Public Comment period.  
8 No one has signed up.

9 So we'll move on to Board Comment.

10 And I just want to expand on that a little bit.  
11 This is an unusual time for us. We brought this meeting  
12 forward to make sure we approved all the pending business,  
13 and it turned out there was quite a bit.

14 That negates the need for the meeting late in  
15 August, but typically we would schedule this for the  
16 fourth Tuesday -- Wednesday of October, but given the  
17 fact there's lots of activity going on, we may see a  
18 meeting in September, too, as needed.

19 If there's any other Board comment --

20 MR. RAGLON: None.

21 MS. HUNT: No.

22 MR. STECKELBERG: Then I move we adjourn.

23 All right. We're adjourned.

24 (At 11:22 a.m. meeting adjourned.)  
25

CERTIFICATE

State of Michigan

County of Van Buren

I certify that this transcript, consisting of 21 pages,  
is a complete, true and correct record of the RTAB meeting  
held on 8/11/15.

Alison R. Huffman - CSR-0945  
Certified Court Reporter  
Notary Public in and for  
Van Buren County, Michigan  
Commission Expires: 8/19/2019