

A path to local control

New commissioners could mean power for BH commission

By **KATE GENELLIE - H-P Staff Writer**

Published: Friday, April 29, 2011 1:08 PM EDT

BENTON HARBOR - Rallies have been held in recent weeks opposing the emergency manager law and recall efforts have been launched against state legislators who supported it.

So Emergency Manager Joseph Harris used a Town Hall meeting Thursday to explain the law and respond to accusations made during a Wednesday rally.

"I ain't selling Jean Klock Park," Harris said Thursday.

He also isn't dissolving the city or selling the water plant, though he is bringing in an outside company to manage it.

"I think you will witness that what we're doing is in the best interest of the community," Harris told the audience of about 60 gathered at the Business Growth Center at 200 Paw Paw Ave. in Benton Harbor. Harris even said he would like to see some authority returned to the City Commission. Harris sent a directive to commissioners April 15 informing them that the emergency manager law, or Public Act 4 of 2011, stripped them of all authority. The directive drew national media attention.

Harris said he will see after the November elections whether the majority of commissioners will work with him. The commissioners elected may see their authority fully restored if Harris leaves before their four-year terms expire.

"Until we have a commission that knows how to run a city, we cannot expect them to operate it in a fiscally sound way," Harris said.

Public Act 4 cleared up the confusion in Benton Harbor, Harris said. It allows for state receivership, as opposed to the federal receiver that would be appointed if the city went into bankruptcy.

Harris said it's important to remember why he was appointed to the emergency manager post in the first place.

A state review, conducted before Gov. Jennifer Granholm appointed Harris, showed the city routinely over-budgeted and owed almost \$700,000 to the IRS and almost \$4

million to the city's pensions. Harris said he spent the fall of 2010 paying the city's accumulated debt.

Pension funds were used to fund the city's payroll, Harris said.

The city was "going deeper and deeper into the hole using other people's money," Harris said. "Give us a chance to right the ship because we are turning it."

But the law's effect on Benton Harbor is temporary, Harris said,

"I could conceivably leave here by Jan. 1, 2012, or June 30, 2012," Harris said. "In two years, I can have the city on sound footing."

Responding to clamor

"There's been a lot of talk, a lot of clamor about this law," Harris said after the meeting. But the law affects other communities in the state, and similar laws affect cities across the country.

"This isn't just Benton Harbor, this isn't just Michigan," Harris said.

A recall has been initiated against state Rep. Al Pscholka, R-Stevensville, who introduced Public Act 4 in the House. Responding to the recall efforts, Pscholka said in a press release Thursday, "It is sad and shameful that there are some who want to use others as political pawns on behalf of their own agenda to take the spotlight off their own poor performance.

"This is precisely the spirit of self-service which has driven local governments into collapse. I understand change is difficult, but being fiscally accountable and having financially stable communities are vital to promote job creation, economic growth and positive outcomes for the future of our great state."

In response to one audience question about a proposed \$200,000 Whirlpool Corp. donation, Harris said he received a letter Thursday inviting Harris to meet with Mayor Wilce Cooke and Mayor Pro Tem Marcus Muhammad in the next week or two.

"We have not made a decision" about how the money will be spent, Harris said. Public Safety Director Roger Lange told the audience that public safety was his first priority but, "We have to make things work with what we have."

Six police officers graduated from firefighter cross-training Thursday, Lange said. But the officers won't fight any fires unless the city comes to an agreement with the police and fire unions, which have resisted the idea of a public safety department.

"All that is part of union issues. We're going to deal with that," Lange said. Harris said the first of his talks with the firefighters union will take place May 4.

kgenellie@TheH-P.com