



City of Portland

Portland, Michigan

Minutes of the City Council Special Meeting

Held on Monday, July 31, 2024

In the City Council Chambers at City Hall

259 Kent St., Portland, MI 48875

Present: Mayor Barnes, Mayor Pro-Tem VanSlambrouck, Council Members Fitzsimmons, and Johnston; Interim City Manager Terry; City Clerk Miller

Guests: James Freed of The Pivot Group; Andrew Dymczyk; Jacob VanBoxel; Frank Walsh; Rachel Gross; Tim, Kyla, Hannah, and Madalie Fuller; Jill and Chase Watson; Doug Logel; Kathy Parsons; Erin Gorman; Jodi Woodman; Eric Gibbs; Roy & Cena Schneider; DJ; April Vogl; Rex Waltersdorf; Jerry Tolan; Finance Director Mindy Tolan; Chad Miller; Parks & Recreation Director Neil Brown; Electric Superintendent Todd Davlin; DDA Director ConnerWellman; Wastewater Treatment Plant Superintendent Tony Smith; Police Chief Star Thomas; Police Officer Max McCrory; City of Portland Employees Tammy Meyers, Barb Brown, Erin Fair, Tim Krizov

The meeting was called to order at 6:00 P.M. by Mayor Barnes with the Pledge of Allegiance.

Motion by Fitzsimmons, supported by Johnston, to approve the proposed Agenda.

Yeas: Fitzsimmons, Johnston, VanSlambrouck, Sheehan, Barnes

Nays: None

Adopted

Mr. Freed provided a recap of the City Manager Search process.

Interim City Manager Terry introduced Andrew Dymczyk.

Mr. Dymczyk was interviewed by the City Council.

There was a 5-minute recess.

Interim City Manager Terry introduced Jacob VanBoxel.

Mr. VanBoxel was interviewed by the City Council.

There was a 5-minute recess.

Interim City Manager Terry introduced Frank Walsh.

There was a 5-minute recess.

Under Public Comment, Rachel Gross thanked the City Council and former City Manager for their hard work and noted her concern with the red flags that have been raised this week regarding questions about

transparency. She asked how the Council got to the three candidates interviewed tonight. She requested more time be taken for an impartial search firm to be involved in the City Manager search process. She stated that all three candidates have controversial backgrounds and asked that more time be taken for consideration of the right candidate. She stated this seems to be a sudden, rash decision and would like transparency in the process.

Tim Fuller stated that he echoes the concerns raised by Rachel. He further stated each candidate has a recent complaint and asked if those issues had happened in Portland would they have been a cause for dismissal. He stated that Portland seems to have lost its former City Manager because of an “issue”. He further stated that as stated 100’s of applications for the City Manager position were received and were narrowed down to these three were any of the other candidates free of scandal? He stated he would like to have the candidates list who they know or who has had previous relationships with the City of Portland. He would like to see Portland have a fresh start with a new City Manager. He stated very little was heard from the candidates from the “human perspective” in how to create a healthy and safe place to work and how the candidates would handle conflict resolution from the community and/or employees. He further stated there are serious questions to ask of the candidates and noted the City is not in a position to make a decision on the City Manager position at this time, more time needs to be taken.

DJ echoed Mr. Fuller’s comments and noted more time is needed to make this decision.

Rachel Gross stated that a recent newspaper article in Hastings states a female commented during an interview process that a hostile work environment was created in Portland by the former City Manager. It is also noted in the article that Mayor Barnes would hire the former City Manager back. She noted this is a huge discrepancy.

Mayor Barnes stated that in regard to the incident in Barry County, a City employee has made a serious allegation regarding the City’s work environment that did not follow City procedure. The City employee hired an attorney to pursue the matter. The City knew nothing of the issue prior to hearing from the employee’s attorney. As a result of the employees choice, the City has hired legal counsel to engage with the employee’s attorney to gather evidence to the allegations. To this point, this has been a slow process, with no significant evidence forthcoming. While the City has been aware of the allegations Mr. Gorman left employment under positive circumstances pursuant to a job search that began before the allegations were made. He further stated that transparency does not apply in all situations at all times. When this matter is resolved the intent is to address the issues that resulted in what happened. The Council is not in a position to respond at this time.

Under Search Coordinator Recap and City Council Decision, Mr. Freed outlined the process in the hiring of The Pivot Group to handle the City Manager selection process. He noted that news stories do not equate to scandals, most often they are a result of difficult decisions. He stated a background investigation will be part of this process. He informed the Council they can decide to move forward with a candidate with the selection of a lead candidate which will begin an in-depth background investigation.

The City Council discussed the candidates.

Mayor Barnes stated that Mr. Walsh was knowledgeable and has experience in comparison to the other candidates.

Council Member Johnston stated she has ruled out Mr. VanBoxel as he was not confident in his answers and that she does not feel he is the right fit for the community.

Council Member Sheehan agreed with Council Member Johnston and noted her feeling that Mr. VanBoxel was saying what he felt like the Council wanted to hear. She stated she liked both Mr. Dymczyk and Mr. Walsh.

Mayor Pro-Tem VanSlambrouck noted that all three candidates have shown great character by being here tonight. He stated he was impressed by Mr. Dymczyk but feels that either Mr. Walsh or Mr. Dymczyk would be a good fit for the community.

Council Member Fitzsimmons stated that in his opinion the candidates' responses to their past failures was telling. Mr. Walsh is the only candidate that had what he felt was an honest response to the question and he appreciated his honesty. For that reason, Mr. Walsh is the frontrunner for the position.

Council Member Johnston noted Mr. Walsh and Mr. Dymczyk are two very different candidates.

Mayor Pro-Tem VanSlambrouck noted that during the review process to narrow down the candidates the Council based their decision on redacted copies of the candidate resume packets. They had no names or affiliated jurisdictions.

Mayor Barnes stated this is not a public decision. The Council Members are public officials designated to make decisions on behalf of the public.

Mayor Barnes entertained a motion to name Mr. Walsh as the lead candidate and to form a committee with Mr. Freed, Mr. Terry and himself to negotiate a contract for future approval.

Council Member Fitzsimmons made the motion as outlined by Mayor Barnes.

There was no support for the motion.

Motion by Johnston, supported by Sheehan, to name Mr. Dymczyk as the lead candidate and to form a committee with Mr. Freed, Mr. Terry, and Mayor Barnes to negotiate a contract for future approval.

Yeas: Johnston, Sheehan, Fitzsimmons

Nays: VanSlambrouck, Barnes

Adopted

Under Interim City Manager Comments, Interim City Manager Terry introduced himself and shared his professional experience. He stated that a serious allegation has been made. He welcomed the community and noted the job of the City Manager is to look out for the health, safety and welfare of the people. Portland is blessed with the city it has; he has been impressed with the staff. The City Council shares the same philosophy to protect the health, safety and welfare of the community. There have been emotional issues that have put a strain on the organization. Despite the allegations, Mr. Gorman served the City well as the staff, working together, equally serves the City well. He stated that his door is open to the community at any time.

Under Council Comments, Mayor Barnes stated the job as Council Member is not always easy. He further stated the perceived lack of transparency that exists is not intentional or reflective of their desire to not share what the City Council does. He thanked everyone for attending the meeting tonight.

Interim City Manager Terry asked Mayor Barnes if it would be possible to reinvite the candidates to come back for a second interview.

Mayor Barnes noted that if the process is messed up, then asking for trouble.

Mr. Freed stated it was a difficult decision, both candidates were a good choice.

Under Council Comments, Mayor Pro-Tem VanSlambrouck stated that he suggested to the Council holding off on hiring a new City Manager until the current allegations are resolved. The process continued and did the job they had to do as presented. The Council is moving on as a City by hiring a City Manager and the process is correct.

Council Member Fitzsimmons stated this was a fair process tonight and apologized for the perceived lack of transparency. He further stated that hours have been spent on this process.

Council Member Johnston stated the Council is responsible for the City Manager, the budget, and planning for the future. The Council is elected to represent the people and they try to do their best.

Council Member Sheehan stated the vote tonight is the first time the Council has not made a unanimous decision. The Council Member all have different backgrounds and will continue to work together. She thanked everyone for coming tonight and encouraged them to continue coming if looking for transparency. She further stated the community would have known about hiring a consulting company to hire a new City Manager had they come to the Council meetings or read the minutes. She further stated that Facebook is not the right avenue to address issues, if there is an issue people should come to the Council, address the City Manager, or Council Members individually.

Council Member Fitzsimmons noted the Council is not always unanimous in budget meetings, but they agree on the final proposed budget. The decisions the Council makes throughout the year are mostly a result of implementing the budget.

Motion by Johnston, supported by Fitzsimmons, to adjourn the special meeting.

Yeas: Johnston, Fitzsimmons, VanSlambrouck, Sheehan, Barnes

Nays: None

Adopted

Meeting adjourned at 9:19 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk