



City of Portland

Portland, Michigan

Minutes of the City Council Meeting

Held on Monday, August 19, 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, Johnston, and Sheehan; Interim City Manager Terry; City Clerk Miller; Finance Director Tolan; DDA Director ConnerWellman; Police Chief Thomas; Ambulance Director Sowles and Staff

Guests: Andrew Dymczyk, Candidate for City Manager; Megan Crosson; Jon Moxey of Fleis & VandenBrink; Eric Gibbs; Jerry Tolan; Kathy Parsons; Mike Judd; Tim and Madalie Fuller; Rachel Gross; Erica Patrick; DJ; Erin Gorman; Eric Johnston; Gerry Meyers; Amy Guilford; Kyle Butler; Bethany French; Mindy and Justine Nowak; Steven Smith; Brenda Snow; Kirk and Carisa Beard; Mary Kay Steffes-Schmitz; Dan Hengesbach; City Employee Tammy Meyers

The meeting was called to order at 7:00 P.M. by Mayor Barnes with the Pledge of Allegiance led by Andrew Dymczyk and Megan Crosson.

Mr. Dymczyk introduced himself and stated he is humbled and honored to be offered the position of City Manager for the City of Portland. He is excited and ready to get started.

Motion by VanSlambrouck, supported by Fitzsimmons, to approve the agenda as presented.

Yeas: VanSlambrouck, Fitzsimmons, Johnston, Sheehan, Barnes

Nays: None

Adopted

Under Public Comment, Ambulance Director Sowles thanked the City Council and community for the new state of the art ambulance that went into service today.

Bethany French, downtown business owner, presented a request to have the buildings along Kent Street and Bridge Street power washed when the road construction is complete.

Mr. Moxey of Fleis & VandenBrink confirmed power washing is on the list of items to be done as part of the project.

Tim Fuller provided public comment related to the handling of the personnel issue related to former City Manager Gorman.

DJ provided public comment and asked for transparency in the handling of the issue related to former City Manager Gorman.

Erica Patrick provided public comment related to the handling of the personnel issue related to former City Manager Gorman.

Tammy Meyers provided public comment related to the handling of the personnel issue related to former City Manager Gorman and the terrible atmosphere it has created at City Hall.

Jerry Tolan provided public comment related to the handling of the personnel issue related to former City Manager Gorman.

Under Interim City Manager Report, Interim City Manager Terry noted he had nothing at this time.

Under Presentations, Jon Moxey of Fleis & VandenBrink presented information on the bid letting for the proposed plaza project at 103 E. Grand River Ave. The bids came in significantly over budget. Fleis & VandenBrink is working with staff and the contractor to determine if additional funding is available or if the project should be restructured and rebid in the Spring.

There was discussion.

Under New Business, the Council considered Resolution 24-68 to approve an agreement with Andrew Dymczyk for service as City Manager.

Interim City Manager Terry noted the starting date was intentionally left blank at this time. The start date is to be determined but has been suggested to be Monday, September 16, 2024.

Motion by Johnston, supported by Sheehan, to approve Resolution 24-68 approving, authorizing, and directing the Mayor and City Clerk to sign an agreement between Andrew Dymczyk and the City of Portland for service as City Manager.

Yeas: Johnston, Sheehan, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

The Council considered Resolution 24-69 to approve payment for legal services provided by Dickinson Wright PLLC in the amount of \$6,097.50 for various expenses related to personnel issues.

Motion by Johnston, supported by Fitzsimmons, to approve Resolution 24-69 to approve payment for legal services provided by Dickinson Wright PLLC.

Yeas: Johnston, Fitzsimmons, Sheehan, Barnes

Nays: VanSlambrouck

Adopted

The Council considered Resolution 24-70 to approve Fleis & VandenBrink's invoice in the amount of \$40,768.39 for construction engineering services for the Kent Street Improvement Project.

Motion by Sheehan, supported by VanSlambrouck, to approve Resolution 24-70 approving Fleis & VandenBrink's invoice for construction engineering services for the Kent Street Improvement Project.

Yeas: Sheehan, VanSlambrouck, Fitzsimmons, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 24-71 to approve a license agreement to hold a Haunted House at the Red Mill in October.

Motion by VanSlambrouck, supported by Sheehan, to approve Resolution 24-71 approving, authorizing, and directing the Mayor and City Clerk to sign a license agreement to permit holding a Haunted House at the Red Mill.

Yeas: VanSlambrouck, Sheehan, Fitzsimmons, Johnston, Barnes

Nays: None

Adopted

The Council considered Resolution 24-72 to appoint Mike Fox to the Board of Review.

Mayor Barnes noted Mr. Fox will serve as an alternate to the Board of Review.

Mayor Pro-Tem VanSlambrouck stated Mr. Fox is a very good man and recommended his appointment.

Motion by VanSlambrouck, supported by Johnston, to approve Resolution 24-72 confirming the Mayor's appointment to City Boards and Commissions.

Yeas: VanSlambrouck, Johnston, Fitzsimmons, Sheehan, Barnes

Nays: None

Adopted

The Council considered Resolution 24-73 to approve the TMF Water Service Material Verification Project and to award the project to Plummer's Environmental Services in the amount of \$198,502.00.

Motion by VanSlambrouck, supported by Sheehan, to approve Resolution 24-73 approving the TMF Water Service Material Verification Project and awarding the project to Plummer's Environmental Services.

Yeas: VanSlambrouck, Sheehan, Fitzsimmons, Johnston, Barnes

Nays: None

Adopted

Motion by Fitzsimmons, supported by Johnston, to approve the Consent Agenda which includes the Minutes and Synopsis from the Regular City Council Meeting on August 5, 2024, payment of invoices in the amount of \$122,214.78, and payroll in the amount of \$172,936.56, for a total of \$295,151.34. There were no purchase orders over \$5,000.00.

Yeas: Fitzsimmons, Johnston, VanSlambrouck, Sheehan, Barnes

Nays: None

Adopted

Under Interim City Manager Comments, Interim City Manager Terry addressed the public. He noted that serious allegations have been made by a City employee that have been taken very seriously. He stated the legal process takes time and the City has to follow the advice of the attorneys. Mr. Terry further stated a new attorney has been hired to handle the complaint. He hopes to leave Portland a better place after his time here and wants this issue corrected.

Under Council Member Comments, Council Member Fitzsimmons stated the ongoing personnel issue has been the most difficult issue during his time on the City Council. He stated he has felt handcuffed throughout the process and that it is difficult to see people hurting. He stated there will be a just answer in the end. He further stated there were things he wanted to do but was advised not to. He further apologized there was not a faster resolution to the issue.

Mayor Pro-Tem VanSlambrouck noted there was restraint shown at the beginning of this issue to protect the individuals involved and that he didn't really understand the impact on staff it would have. There has been significant discussion and pressure about advice from the beginning to this time. He further stated

there is a perception that nothing is happening around this issue, which is not the case. Actions at this time cannot be made public due to attorney/client privilege.

Council Member Sheehan thanked Council Member Fitzsimmons and Mayor Pro-Tem VanSlambrouck for their comments. She noted her family is a part of the Scouts of America and lives by the Scout motto. She further stated she was not prepared for this situation. She further congratulated, as is her practice, the newest Eagle Scout Jack Sheehan.

Mayor Barnes noted all the comments by the Council Members are accurate. Mayor Barnes stated no one intended to do anything but what was right, this has been unchartered territory for the Council and staff. He further assured the public that no one would step faster or more intently than he to address sexual harassment or a hostile work environment as this is something he has had to deal with personally. He stated he is not trying to protect anyone or cover anything up. He further stated the decision made by the complainant at the outset was not wrong but was made on a perceived circumstance. He stated the route that was taken pulled the plug on internal abilities to address the situation. He further stated the previous changes made to the employee handbook were made based on the recommendations of staff. He stated the Council does not condone anything that happened.

Motion by Johnston, supported by Sheehan, to adjourn the regular meeting.

Yeas: Johnston, Sheehan, VanSlambrouck, Fitzsimmons, Barnes

Nays: None

Adopted

Meeting adjourned at 8:14 P.M.

Respectfully submitted,

James E. Barnes, Mayor

Monique I. Miller, City Clerk