

REPORT AND RECOMMENDATION OF CITY ATTORNEY

To: Cyndee Jonseck, City Clerk

From: Todd J. Shoudy, City Attorney

Date: August 14, 2025

Re: Code of Conduct Complaint Filed by Craig Schlinkert against City Manager James Freed, Police Chief Brian Kerrigan and PHPD Supervisor – unidentified (but now identified as Lt. Jason Barna).

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1. City of Port Huron Code of Ordinances, Chapter 6 sets forth a Code of Ethics. When an ethics complaint is made against the City Manager, the City Attorney is required under Sect. 6-11 to prepare a report and recommendation to be shared by the City Clerk with the Mayor and the rest of City Council. The Ordinance requires that my report first “conclude whether facts alleged in the complaint, if true, would rise to a violation of this chapter”, and if the answer is yes, then “determine whether the officer or employee named in the complaint did commit a violation of this chapter”. I am also required to “provide a recommendation for disposition of the complaint”. The appropriate “controlling authority” for this complaint is “the Mayor, City Council, and the City’s legal counsel”.
 2. A copy of the Ethics Complaint is attached as Tab A. You will note that the Complaint sites Ordinance sections that do not exist in the City of Port Huron Code of Ordinances, and purports to quote from those ordinances. In analyzing his complaint I referred to sections of the Code of Ethics that had some of the quoted words in common.
 3. A copy of the formal written responses by City Manager Freed, Police Chief Kerrigan, and Lt. Barna are attached as Tab B. Each employee denies that he violated the code of ethics.
 4. Upon reviewing the available video (without audio), documentary evidence, statements of witnesses as well as personal interviews of the key witnesses, I make the following factual determinations:

- a. On July 8, 2025, at 3:33 p.m., Craig Schlinkert sent an email to Mayor Ashford raising concerns about individuals driving through stop signs at Pine Grove Park. He reported that he was enjoying the park with his kids and saw two city vehicles drive through stop signs at the park and he attempted to report it to the supervisor of the water department, who was not available. He stated that he was able to report it to Lt. Smith of the PHPD and was told that the Lt. would ask patrol vehicles to pay attention to this issue. Craig Schlinkert stated that he remained at the park for 2 hours and did not see any patrol vehicles, but he did see approximately 200 vehicles drive through the stop sign at the park.
- b. On July 9, 2025, at 11:21 a.m., Mayor Ashford forwarded the email to Mr. Freed. At 11:34 a.m. Mr. Freed responded by email to Mr. Schlinkert thanking him for bringing the matter to “our attention” and told him he will have a conversation with the team about this.
 - i. At 1:48 p.m., Mr. Schlinkert asked for more information about Mr. Freed’s planned actions and shared a newly created video of a City vehicle driving the wrong way down a one-way street in the park that occurred that day.
 - ii. At 1:50p. Mr. Freed informed Mr. Schlinkert that he discussed the matter with his leadership team, and at 1:55p James Freed sent an email to all City Staff advising them to respect traffic laws and “one ways” and reminded City employees that residents are always watching, including in places like Pine Grove Park.
- c. On July 9, 2025, at 2:14p Mr. Schinkert then arrived at the City Clerk office seeking to obtain a copy of the email Mr. Freed sent to City employees 19 minutes earlier. Only one clerk, Rhonda Bingham, was present at the time. Ms. Bingham is not the FOIA coordinator who is tasked with responding to FOIA requests but can receive FOIA requests.
 - i. According to Mr. Schlinkert he stated to Ms. Bingham that sometimes under FOIA a City will provide a document that is “readily available” without waiting the five (5) days and asked Ms. Bingham if it were possible for her to do so. Ms. Bingham, on the other hand stated that

Mr. Schlinkert insisted that if a document was “readily available”, she was required to provide it upon request. She documented that he was insistent and said, “if a document is ‘readily available’, I was required to provide it upon request.” She stated he said this two or three times. The video does not contain audio to resolve this difference in recollection.

- ii. Under the Michigan FOIA, a public body has five (5) business days to respond to a FOIA request and can extend that time period by up to an additional ten (10) business days. Thus, whether it was a request or a demand, Mr. Schlinkert was asking for something that was not required under FOIA – an immediate response to a FOIA request.
- iii. Ms. Bingham is not a designated FOIA coordinator. That task is assigned to the City Clerk and Deputy City Clerk, neither of whom were present. Ms. Bingham, who was not sure whether Mr. Schlinkert was correct as to the law, consulted the Deputy City Clerk, Kelsey Roelens by telephone. Ms. Roelens told Ms. Bingham she was not required to immediately provide the email and that she should contact the City Manager right away, and she did so.
- iv. Mr. Freed then traveled to the first floor and met with Mr. Schlinkert at the clerk’s office window, arriving at 2:23 p.m.
 1. According to Mr. Freed he asked Mr. Schlinkert how he could help him and Mr. Schlinkert said, “give me the fucking email”. Mr. Freed then handed a FOIA request form to Mr. Schlinkert, and asked him “Is everything okay? You told me you spent several hours watching City vehicles. Is there anything going on you would like me to know about?”, and Mr. Schlinkert responded, “I don’t fucking trust you”.
 2. According to Mr. Schlinkert, Mr. Freed asked, “Why are you sitting in the park watching vehicles?” and said, “isn’t that a little weird?” In his email later that day Mr. Schlinkert stated that Mr. Freed “inferred that I was being weird”, so it is unclear if those were the actual words used by Mr. Freed per Mr.

Schlinkert. Mr. Schlinkert responded that he was in the park with his young daughter and friend. He stated Mr. Freed then asked him at least three times “Why do you want it?”, and he initially responded, “because I want it”, and finally he told Mr. Freid “I don’t trust you” and stated that he did so with a “mean face”. He explained that he disliked Mr. Freed as a result of an interaction in January 2024 regarding parking tickets being issued by cadets on the west side of the Wrigley Center. He denies ever saying “Give me the fucking email”.

3. Ms. Bingham recalls that Mr. Freed asked Mr. Schlinkert what he needed, and Mr. Schlinkert repeated his request for the email and was insistent that he was owed the information immediately. She does not recall the specific words but says that Mr. Schlinkert was loud with Mr. Freed. She recalls Mr. Freed being professional during the interaction, and Mr. Schlinkert on the other hand appeared to be trying to provoke a confrontation with Mr. Freed.
- v. All parties agree that Mr. Freed then instructed Ms. Bingham to print out the email and Mr. Schlinkert was then given the email without cost or delay. The video shows that approximately 60 seconds after Mr. Freed arrived, he turned to Ms. Bingham. The video appears to show Mr. Schlinkert filling out a FOIA request, and Mr. Freed providing the email to Mr. Schlinkert at 2:26 p.m., approximately three and a half minutes after Mr. Freed’s arrival at the clerk’s office.
- vi. At 4:18p on that same date, Mr. Schlinkert sent an email to the Mayor indicating his “intention to level formal complaints against the city clerk for lack of training personnel, two members of her staff. The first for running to Freed after requesting a FOIA and her asking related questions”, and the second “for calling Freed down to the Clerks desk because she didn’t know her job”. He also stated, “I will be leveling the last complaint against the City Manager due to him challenging and disparaging me while requesting the email”. As part of the email, he also stated “I will be FOIA the clerks office for video/audio of each interaction in the coming week.” Mr. Freed

responded at 4:30p stating, in part, that “I made no disparaging remarks. I simply asked if you were upset because you told me you sat there for hours watching city cars”. Mr. Freed also stated “Additionally, I will gladly provide video of the conversation, however the video does not contain audio”.

- vii. Per Mr. Schlinkert, on the advice of family members then attempted to make an afterhours complaint with the Port Huron Police Department after 5:00 p.m., and was told by the officer on duty, that he did not take complaints against the City Manager and Mr. Schlinkert would have to go directly to the Chief of Police. He then made a complaint with the St. Clair County Sheriff Department at 7:37 p.m. per the report. The report indicates that Mr. Schlinkert stated that Mr. Freed “intimidated him and denied his FOIA request.”
 - viii. Per Lt. Barna, he received the call from Mr. Schlinkert and inquired as to what the nature of the complaint was, and after learning that it was alleged rudeness by Mr. Freed and that Mr. Schlinkert was given what he requested, determined that the complaint was non-criminal, and then consulted with Chief Kerrigan who agreed that no report would be taken.
 - ix. I agree that the actions of Mr. Freed as described by Mr. Schlinkert do not allege anything that would constitute a crime or a potential crime, and as a law enforcement agency, the Port Huron Police Department has no jurisdiction over the complaint by Mr. Schlinkert and was not required to take a formal complaint from him.
- d. On July 10, 2025, Mr. Schlinkert arrived at the City Building around 8:00 a.m. seeking the video from his interaction on July 9, 2025. According to Ms. Bingham, she was concerned because when she walked into the building, Mr. Schlinkert walked behind her.
- i. Although Mr. Freed never expressed a time or manner in which he would make the video available to Mr. Schlinkert, Mr. Schlinkert assumed Mr. Freed had the video available in his office on the 4th floor. The video shows Mr. Schlinkert arriving on the 4th floor at 8:06 a.m.,

ringing the buzzer several times and waiting approximately 10 minutes before he departed via the elevator. The video also shows him returning at approximately 8:30 a.m., and again at 8:38 a.m., both times he was unsuccessful in connecting with Mr. Freed.

- ii. At some point that morning, Mr. Schlinkert visited three other city offices in the building, including the police department seeking to set up a meeting with the Chief of Police, and the City Clerk's office to make a complaint about Ms. Bingham.
- iii. At 12:17 p.m., Mr. Schlinkert returned to the building and then went to the 4th floor looking for Mr. Freed. When he arrived, Mr. Freed was exiting the 4th floor office area with several guests (identified by Mr. Freed as developers) heading to the same elevator Mr. Schlinkert was exiting. Mr. Schlinkert verbally asked for the video and Mr. Freed told Mr. Schlinkert he would have to make a FOIA request in the clerk's office.
- iv. Mr. Freed and his guests took one elevator down, and Mr. Schlinkert followed about 30 seconds later in the other elevator.
- v. Mr. Freed went into the clerk's office after seeing his guests off on the first floor arriving at 12:16 p.m. and Mr. Schlinkert went the clerk's window 18 seconds later.
 1. According to Mr. Freed, Mr. Schlinkert stated "give me the fucking video", and Mr. Freed handed him a FOIA request form. Mr. Freed then told him "Just so you are aware, unlike the email that I could just print off, this video takes a few days to get because I don't have access to the footage and the PD would need to retrieve it." Mr. Schlinkert, per Mr. Freed replied very loudly, "give me the fucking video". Mr. Freed then left the clerks office in an effort to deescalate and began walking back towards the elevator to return to his office when Mr. Schlinkert began yelling "give me the fucking video!", to which Mr. Freed stated he replied, "that is not going to happen today". According to Mr. Freed, Mr. Schlinkert "began to scream

incredibly loud and disturb the peace. I believe he also pounded his fist on the counter.” Mr. Freed, out of concern that Mr. Schlinkert was coming after him, then ran to the stairway and to the police department for support.

2. Mr. Schlinkert for his part, stated that when he arrived at the clerk window to obtain the report, he was dismayed that Mr. Freed was there. He stated Mr. Freed tried to talk to him, but he refused to answer him until Mr. Freed asked, "what is wrong?" Mr. Schlinkert then stated, "you moved the goal posts on me", and then he pulled out his cell phone and began reading the email from the prior evening where Mr. Freed stated, "I will gladly provide video of the conversation". According to Mr. Schlinkert, Mr. Freed began walking away while he was talking so he "projected" his voice in a loud manner, and eventually "projected" the word "Tyrant" at which time Mr. Freed began to run away. He then returned to the counter and finished making his FOIA request while police officers responded to the clerk's office but did not interact with him. He then left the building without incident.
3. Ms. Bingham indicated that Mr. Schlinkert was louder than the day before, was loudly demanding the video and seemed agitated. She does not recall the words that were said, and she was on the phone with a treasury department employee at the time. She said she heard Mr. Schlinkert yell at Mr. Freed "Tyrant" or something along those lines, so she pressed the panic button. She said it was very loud, and "startling" -- not simply someone raising their voice. She was not aware that Mr. Freed had run away in fear. She stated she does not feel City employees should have to put up with residents yelling at them which is why she pushed the panic button (only the second time she has done so in the two and a half years she has worked in the clerk's office).
4. Ms. Roelens, who was also in the clerk's office at the time, heard Mr. Freed tell Mr. Schlinkert he was not getting what he

was requesting today, and after Mr. Freed began walking away Mr. Schlinkert made a high-pitched yell, at which time Ms. Bingham hit the panic button. She could not recall what the words were or when in the sequence she heard the “scream”.

5. Ms. Jonseck indicated that she was in her office with the door closed at the time, but the commotion was loud enough that she could hear the commotion, but not loud enough for her to respond. After she heard a loud noise, she then came out of her office to intercede and then the police arrived.
6. The video, again, does not contain audio, so I am unable to resolve the differences in what was said and how it was said. The video does show the entire encounter lasted approximately only twenty-five (25) seconds:
 - a. The interaction between Mr. Schlinkert and Mr. Freed while he was inside the clerk's office was approximately fifteen (15) seconds. During that time, Mr. Freed appears to turn and obtain a FOIA request form which he gives to Mr. Schlinkert.
 - b. The rest of the encounter lasted less than ten (10) seconds. Mr. Freed exited the clerk's office and walked toward the elevator bank. The video shows Mr. Schlinkert raising his phone and appearing to be talking towards Mr. Freed, which seems to support his statement that he was reading from the email.
 - c. Four (4) seconds after Mr. Freed exited the clerk's office, he turned and faced Mr. Schlinkert, which seems to support Mr. Freed's statement that he repeated to Mr. Schlinkert that he was not getting the video today.
 - d. Three (3) seconds later, Mr. Schlinkert returned to the window but then again turned to verbally engage Mr. Freed and appears to speak towards Mr. Freed. Mr.

Freed at that point with his back to Mr. Schlinkert as he was walking away, then ran toward the stairwell in apparent fear that Mr. Schlinkert was coming after him.

- e. Sixty-six (66) seconds later, three (3) Port Huron police officers arrived in the lobby in response to the panic button activation and then entered the clerk's office without incident.
 - f. Mr. Schlinkert completed the FOIA form and left the City building approximately four (4) minutes later at either 12:37 p.m. or 12:35 p.m. [there appears to be a 2:24 second difference in the time clocks of two of the first-floor videos].
 - g. Although my initial review of the video with the assistance of the Police Chief appeared to show Mr. Schlinkert possibly hitting the counter with his hand, upon closer review, I believe there is no clear proof that he ever did so.
 - h. Under Michigan law and City Ordinances, it is a crime (a misdemeanor) to breach the peace of a public building and/or interfere with or cause a hindrance of one in pursuit of his lawful right or occupation. Michigan courts have upheld convictions based upon individuals yelling loud enough to temporarily interfere with public employees ability to do their job.
7. As a result of Mr. Schlinkert's actions, he was issued a limited no-trespass order, which allows him to come to City Council meetings and does not prevent him from coming to the City building but requires that he notify law enforcement if he needs to do so. After my interview with Mr. Schlinkert on August 11, 2025, and in consideration with an email he sent expressing regret to city employees for his actions, I informed Mr. Freed that I do not believe that Mr. Schlinkert is a safety threat and

Mr. Freed sent an email to Mr. Schlinkert removing the limited no trespass order on August 12, 2025.

8. At 1:32 p.m. on that date, Mr. Freed sent an email to City Staff briefly describing the situation and in part reassuring staff of his support in dealing with improper behavior. In the email he finished with the following statement “Now, let’s enjoy Bluewater Fest. The all [sic] City buildings will close today at 2pm to account for festival traffic.”
- e. On July 14, 2025, at 7:27 a.m., Mr. Schlinkert sent an email to Ms. Jonseck entitled “Expression of Regret and Context Regarding Recent interaction”, which he asked that she share with “the employees who witnesses the situation and may have been affected by it”. In the email, he stated “I want to express my sincere regret to those of you who witnessed the recent exchange between myself and City Manager James Freed. I understand that the situation may have been disruptive or uncomfortable, and I want to provide context so that my intentions are clear.” In the description of events he stated, “my raised voice and words were not directed at any of you”. In my interview with him, he stated that this was not an apology letter but was an expression of regret and explanation of the context of his actions.
 - f. At the City Council meeting on July 14, 2025, Mr. Schlinkert was given the FOIA responses he previously requested. He also spoke at public comment.
 - i. Mr. Schlinkert described the incidences on July 9 and 10. He described the incident of July 9 as that he was “harassed” when making a FOIA request. As to the July 10 incident, he stated that he was asked “Is everything all right”, which led to him stating he was “frustrated” that Mr. Freed had “moved the goal posts”. He stated that he “declared” “Tyrant” as Mr. Freed was walking away from him.
 - ii. At the end of the meeting Mr. Freed responded as to Mr. Schlinkert’s public comment. Relevant to this ethics complaint are the following words:

1. "... we had an incident occur last week where a gentleman came in and when they did not get the answer they wanted, began screaming in such a way and this is important that the public knows, screaming in such a way and pounding that for the first time in 18 years our city staff had to hit their panic buttons and call for rapid police response to the office."
 2. "We had staff that was afraid to come to work that day after the incident."
- g. Following the City Council meeting, Mr. Schlinkert stated that Mr. Freed approached his mother and sister at Casey's restaurant and questioned his mental state. He stated he was provided this information second hand and would not identify his source. Mr. Freed acknowledged that he asked the mother and sister if Mr. Schlinkert had a mental health history.
- h. In my interview with Mr. Schlinkert, I found him to be cooperative and did not get the sense that he is a danger to City employees. He desires to be active in City politics and is the stepson of the former long-term Blue Water Area Transit general manager, Jim Wilson, where he also previously worked.
5. Based upon the information before me, I offer the following Conclusions:
- a. As to the July 9, 2025, incident:
 - i. Mr. Schlinkert sought an email (written only 19 minutes earlier) to be given to him immediately under FOIA when the FOIA statute allows the City between five (5) and fifteen (15) business days to respond.
 - ii. Without audio, I cannot confirm which version of events is the correct one. However, even if we were to accept Mr. Schlinkert's version, that Mr. Freed asked him why he wanted the email, such a question would not be "harassment" or inappropriate where Mr. Schlinkert is asking for immediate service, something not required by law.
 - iii. Mr. Freed accommodated Mr. Schlinkert's request and gave him an immediate copy of the email.

- iv. Mr. Schlinkert's attempt to make the minor incident from July 9, 2025, into a criminal matter and raise the prospect of complaints against Mr. Freed and Ms. Bingham is an overreaction to a relatively minor event.
 - v. The Port Huron Police Department was within their right to not take a criminal complaint where the actions as alleged against Mr. Freed do not allege criminal activity.
- b. As to the July 10, 2025, incident:
- i. Mr. Schlinkert was aggressively seeking video from Mr. Freed personally for an incident that occurred on the prior date. Although he claims that Mr. Freed "moved the goal posts" by making him do a FOIA request and not giving him the video that date, reading the July 9, 2025 email as a whole, Mr. Freed told Mr. Schlinkert he would give the video (but could not give audio) in response to Mr. Schlinkert's email stating that he intended to make a FOIA request for the video and audio of the event later that week. Mr. Freed never told Mr. Schlinkert he would give him the video immediately or without going through the normal FOIA process. Downloading video from an incident does take more time than simply printing out an email.
 - ii. Again, without audio, it is impossible to determine whose version of the words exchanged is the correct one, but it is clear the interaction was very short (25 seconds). The witnesses' differences in how loud Mr. Schlinkert was are largely subjective characterizations - Mr. Schlinkert stated he "projected his voice" and "raised his voice" towards Mr. Freed, and Mr. Freed and the clerks stated he yelled or screamed.
 - iii. Mr. Schlinkert has indicated that he did not intend to scare Mr. Freed or concern city staff, but it is clear Mr. Freed was fearful (he ran from Mr. Schlinkert) and City staff thought that Mr. Schlinkert's voice was raised to the level of requiring the rare event of engaging the panic button.

c. As to the statements by Mr. Freed at the July 14, 2025, City Council Meeting:

- i. Although Mr. Schlinkert states that Mr. Freed misrepresented the events of the July 10, 2025 encounter at the City Council meeting, again, the differences between the versions of Mr. Schlinkert and Mr. Freed are subjective in the comparison of how loud Mr. Schlinkert's statements directed toward Mr. Freed were, and how concerning they were to Mr. Freed and city staff.

6. Recommended Disposition of the Complaint.

- a. The alleged violation of Sect. 6-2(a)(1): "Public officials and employees shall not use their positions to secure privileges or exemptions for themselves or others." The Complaint alleged that Mr. Freed used his position to interfere with a FOIA request and obtain unwarranted control over a public process, including blocking his access to the City Building.

1. The purported quote of Sect. 6-2(a)(1) is wrong – there is no Sect. 6-2(a)(1) in the City Code of Ordinances. I will assume this is an attempt to refer to Section 6-5(g), which provides: "No officer or employee shall knowingly use his or her office or position to secure personal benefit, gain or profit, or use his or her position to secure special privileges or exceptions for himself, herself or for the benefit, gain or profits of any other persons."

2. The facts alleged in the complaint, if true, would not rise to a violation of the Code of Ethics. I do not believe this is a case where Mr. Freed is being accused of using his authority to secure City benefits for himself within the intent of Sec. 6-5(g) of the Code of Ethics.

3. In addition, Mr. Freed's job duties include supervision of the FOIA process. Mr. Freed's actions did not interfere with the FOIA requests made by Mr. Schlinkert. He was given all of his rights under FOIA.

4. Finally, the trespass order was issued only after the “raised voice/yelling/screaming” incident involving Mr. Schlinkert that led to a city employee being concerned enough to activate the panic alarm, which at least created a legitimate concern that Mr. Schlinkert arguably breached the peace of a public building in violation of MCL 750.170 and City Ordinance 34-171. Yelling or shouting at City employees doing their job in the City building is never proper. The order was very limited and did not bar Mr. Schlinkert from attending City Council meetings or coming to the City building when he has City business. Moreover, the limited trespass order has now been removed.
 5. I recommend that this paragraph of the complaint be dismissed under Sect. 6-1(f)(4) as being without merit with no further action required.
- b. The alleged violation of Sect. 6-2(a)(4): “Public officials and employees shall not engage in conduct involving dishonesty, fraud, deceit, or misrepresentation.” Mr. Schinker claims that Mr. Freed’s statements at the July 14, 2025, City Council meeting falsely claimed that he “screamed” and “misrepresented the nature of our interaction”.
1. The purported quote of Sect. 6-2(a)(4) is wrong – there is no Sect. 6-2(a)(4) in the City Code of Ordinances. I will assume this in an attempt to refer to Sect. 6-2(a) which states: “City officers and employees shall maintain the highest standards of personal integrity, truthfulness, honesty and fairness in carrying out their public duties; ...”
 2. The facts as alleged, if true, would constitute a violation of the Code of Ethics.
 3. As set forth above, the characterization of whether Mr. Schlinkert “raised his voice” or “screamed” or “yelled”, and whether those statements were concerning to Mr. Freed and

City staff are subjective opinions, which by their very nature cannot fairly be labeled as a “misrepresentation” or “dishonest”.

4. I recommend that this paragraph of the complaint be dismissed under Sect. 6-1(f)(4) as being without merit with no further action required.
- c. The alleged violation of Sect. 6-2(a)(5): “Public officials and employees shall not engage in conduct that violates their duty to the public.” Mr. Schlinkert claims that Mr. Freed “repeated intimidation during a FOIA related encounter, question of my mental state, and the refusal by PHPD to accept a complaint” “violated the duty to treat citizens with fairness and professionalism.”
1. The purported quote of Sect. 6-2(a)(5) is wrong – there is no Sect. 6-2(a)(5) in the City Code of Ordinances. I will assume this is a reference to Sect. 6-4 which states: “All officers or employees shall treat all citizens with courtesy, impartiality, fairness and equality under the law.”
 2. At least some of these facts as alleged, if true, would constitute a violation of the Code of Ethics.
 3. As set forth above, Mr. Freed did not engage in conduct which interfered with Mr. Schlinkert’s rights under FOIA.
 4. The Port Huron Police Department were not required to accept a complaint that was not criminal in nature.
 5. Although reasonable minds may differ over whether Mr. Freed should have raised questions about Mr. Schlinkert’s mental state, given the “raised voice”, “screaming” or “yelling” encounter” and Mr. Freed’s subjective interpretation of that encounter and his safety concerns, I do not believe that his questions rise to the level of an ethics violation.

6. I recommend that this paragraph of the complaint be dismissed under Sect. 6-1(f)(4) as being without merit with no further action required.
- d. The alleged violation of Section 6-2(a)(6): “Public officials and employees shall not engage in conduct that undermines public confidence in the integrity of the city government.” Mr. Schlinkert claims that a “combination of retaliation, mischaracterization, delayed complaint response, and a trespass order intended to chill further interaction with city government officials”, and that such actions “erodes public trust”.
1. The purported quote of Sect. 6-2(a)(6) is wrong – there is no Sect. 6-2(a)(6) in the City Code of Ordinances. It is unclear where this concept originated, however, it would be improper for a City employee to retaliate against someone because they made a FOIA request.
 2. The facts as alleged, if true, would not constitute a violation of the Code of Ethics.
 3. There is no “delayed complaint response”. Mr. Schlinkert did not submit a proper formal Ethics complaint until August 6, 2025. Under the City Ordinance, an initial status update on the complaint is not required until September 5, 2025.
 4. The alleged “mischaracterization” and “trespass order” is addressed above. The “trespass order” was not because Mr. Schlinkert made a FOIA request, it was due to his actions while making a FOIA request.
 5. I recommend that this paragraph of the complaint be dismissed under Sect. 6-1(f)(4) as being without merit with no further action required.

TJS