

## AGENDA REPORT

TO: Mayor Pat Humphrey & Clare City Commissioners  
FROM: Diane Lyon, City Clerk  
DATE: February 16, 2023  
RE: \*Communications

For the Agenda of February 20, 2023

**\*Note: This is a Consent Agenda item and is considered as routine by the City Commission. As such, this matter shall be automatically enacted by one motion with all other Consent Agenda items unless a Commissioner or citizen requests this item be individually discussed, in which event it shall be removed from the Consent Agenda and considered and acted upon in its designated sequence on the approved Clare City Commission agenda of February 20, 2023.**

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FOIA Requests & Responses: The most recent FOIA requests and responses are attached for information.

SOS Proposal 2022-2 Presentation: Michigan's Secretary of State Benson provided the attached presentation information to the Michigan Legislature.

Site Plans, Special Use Permits, Variance Requests & Public Notices:

ALDI Site Plan-New Construction

American Marble & Granite Site Plan-Façade Improvement

Attachments. As noted above.

## Diane Lyon

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**From:** Ken Deloian <kdeloian@smartprocure.com>  
**Sent:** Monday, February 13, 2023 2:22 PM  
**To:** FOIA  
**Cc:** kdeloian@smartprocure.com  
**Subject:** SmartProcure FOIA Request to Clare City For PO/Vendor Information  
**Attachments:** DATA SAMPLE.csv

Good afternoon Ms. Lyon,

SmartProcure is submitting a FOIA request to Clare City for any and all purchasing records from 11/14/2022 to current. The request is limited to readily available records without physically copying, scanning, or printing paper documents. Any editable electronic document is acceptable.

Please do advise as to cost, if any, prior to any changes being incurred by your Agency.

As means of an example, please see the attached file we have received before from your Agency.

The specific information requested from your record-keeping system is:

1. Purchase order number. If purchase orders are not used a comparable substitute is acceptable, i.e., invoice, encumbrance, or check number
2. Purchase date
3. Line item details (Detailed description of the purchase)
4. Line item quantity
5. Line item price
6. Vendor ID number, name, address, contact person, and email address

As an added security and privacy measure, there will be a unique upload link for any new requests moving forward, including this one. We appreciate your assistance towards this request. You may also attach the information to this email.

<https://upload.smartprocure.com/?id=c2RqPWEyYjZRMdAwMDAzWDBvV1FBUyZzdD1NSSZvcmc9Q2xhcmVDaXR5>

If this request was misrouted, please forward it to the correct contact person and reply to this communication with the appropriate contact information.

If you have any questions, please feel free to respond to this email or I can be reached at the phone number below in my signature.

Best Regards,  
Ken Deloian  
Data Acquisition Specialist  
SmartProcure  
Direct: 561-609-6943  
Email: kdeloian@smartprocure.com  
100 S MILITARY TRL STE 13  
#4968



202 West Fifth Street, Clare, Michigan 48617  
www.cityofclare.org  
phone: (989) 386-7541 fax: (989) 386-4508

February 14, 2023

Ken Deloian  
Data Acquisition Specialist  
SmartProcure  
100 S. Military Trl., Ste 13 #4968  
Deerfield Beach FL 33442-9991

561-609-6943  
kdeloian@smartprocure.com

RE: **Freedom of Information Act ("FOIA") Request Response**

Your request for public record(s) under the Michigan Freedom of Information Act ("FOIA"), dated February 13, 2023, and received February 14, 2023 for the following records is acknowledged and your request is hereby **Granted** for the following information: any and all purchasing records from 11/14/22 through current 02/14/23. A Fee Schedule is attached.

The City of Clare's FOIA Procedures and Guidelines and Summary are available for review on our website at [www.cityofclare.org](http://www.cityofclare.org).

If your FOIA request has been denied in whole or in part, you may do one of the following at your option:

- (1) Commence an action in the circuit court to compel disclosure of the public records or information within 180 days after the governmental unit's final determination to deny your request. If the circuit court orders disclosure of all or a portion of the public record or information, you have the right to receive reasonable attorney's fees, costs, and disbursements. If the circuit court determines that the governmental unit arbitrarily and capriciously denied your request, you also have the right to receive punitive damages in the amount of \$500.00. Please see MCL 12.231 *et seq.* for further information on the Freedom of Information Act.
- (2) Submit to the City Manager a written appeal that specifically states the word "**appeal**" and identifies the reason(s) for reversal of the denial. Your appeal should be sent to City of Clare – City Manager, 202 West Fifth Street, Clare, MI 48617-1490.

A copy of this request will be kept on file for no less than one (1) year.

*Diane Lyon, City Clerk*



**Secretary of State**

[Michigan.gov/SOS](https://Michigan.gov/SOS)

# Michigan Elections

Secure and fair, accurate and accessible

2023

# One of the Nation's Strongest Election Systems

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## Secure

- **Decentralization prevents systemic attack**
- **Paper ballots and tallies available for reference**
- **Security checks throughout the system prevent fraud**

## Fair

- **Republican, Democratic and independent clerks ensure integrity**
- **Bipartisan boards of canvassers certify results**
- **Transparency throughout the system**



# One of the Nation's Strongest Election Systems

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## Accurate

- **Tabulator accuracy confirmed before and after elections**
- **Post election audits identify best practices to ensure continuous improvement**
- **Officials prioritize accuracy over speed when reporting results**

## Accessible

- **Record setting turnout in 2020 and 2022**
- **Online and automatic voter registration**
- **Vote by mail, early in person with an absentee ballot, early, or at polls**



# Proposal 2022-2: Changes to Election Process

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- **Permanent “absent” voter list**
- **Early in-person voting**
- **Prepaid return postage for applications and ballots**
- **Ballot drop boxes**



# Proposal 2022-2: Permanent “Absent” Voter List

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- **All voters have right to complete a single application and be mailed an absent voter ballot for all future elections**
- **This status moves with voter when voter moves within Michigan**
- **Voters can be removed from list**
  - **upon request**
  - **upon cancellation of registration**
  - **reliable information provided that the voter is no longer eligible**
  - **not voting for 6 years**
- **Ballot mailed for every election**





# Proposal 2022-2: Early In-Person Voting

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- **All voters have right to 9+ days of early in-person voting**
- **Early in-person voting is polling-place style voting (voters put ballots through tabulator), not in-person absentee voting (dropping off a ballot)**
- **Ballots are tabulated upon receipt**
- **Tabulator reports of results only run after polls close**
- **Municipalities within a county may share early voting sites (hosted by municipality or county)**



# Proposal 2022-2: Prepaid Postage and Ballot Tracking

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- **All voters have right to state-funded prepaid return postage on ballot request forms and ballots themselves**
- **All voters have right to state-funded system that tracks submitted absent voter applications and ballots**
  - **including notice of deficiencies in application/ballot and need to cure**



# Proposal 2022-2: Absent Voter Ballot Drop Boxes

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- **All voters have right to access state-funded absent voter ballot drop boxes within their jurisdiction**
- **Each municipality must have at least one drop box, and one for every 15,000 registered voters**
- **Drop boxes must accept both ballot request forms and ballots themselves, be available 24/7, and be distributed equitably**
- **Required to be available in every election**



# Legislation Needed to Ensure Robust Implementation

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**Align election laws to match constitutional requirements:**

- **Allow absentee ballots to be processed and tabulated during the same period as early voted ballots**
- **Ensure automatic registration of young citizens by age 18 (pre-registration through driver's license with right to opt-out, or completing a form)**
- **Provide more flexibility – e.g., for polling places and precinct size**
- **Provide resources to support and staff accessible early voting sites in every jurisdiction for 9 days prior to election day**



# Legislation Needed to Ensure Robust Implementation

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## **Funding:**

- **Needed: Predictable, sustainable and efficient funding for all elections.**
  - **Involve clerks and MDOS to determine specific costs and enable flexibility**
- **New funding will be needed in FY2024 to ensure:**
  - **9 days of early voting (including staff, equipment and rental space)**
  - **Staffing for absentee ballot processing and tabulation**
  - **Full and secure placement of drop boxes throughout the state (2000+)**
  - **Pre-paid postage for ballot request forms and ballots**
  - **Other costs to enable technical upgrades (ballot tracking, etc)**



# Funding Estimates

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- **Prior to 2022 enacted constitutional changes, escalating cost of elections cost clerks and their jurisdictions \$100 million annually (about \$20,000 per precinct)**
- **With new 2022 enacted constitutional requirements: additional \$30-45M**
  - **\$15-20M annually for MDOS/BOE**
    - **\$3-4M for postage (for 3M voters)**
    - **\$5-7M for drop box security, monitoring and maintenance**
    - **\$3-5M for staffing and technical support**
  - **\$15-25M direct to local jurisdictions**
    - **\$5-10M for drop box security, staffing**
    - **\$10-15M for early voting staffing, space and other resources**



# Attacks on Democracy

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## Election Misinformation

- **Voters are inundated with lies and false conspiracy theories about elections**
- **Intent and effect: to undermine voters' faith in elections and distrust accuracy of outcomes**
- **These lies lead to threats and harassment of election officials and workers**
- **They also lead to violence, including the Jan. 6 attack on the United States Capitol**



# Protect the People who Protect Democracy

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- **Explicitly ban and penalize threats, harassment and doxing of election officials and workers**
- **Prohibit intentionally sharing false information about elections or a person's right to vote**
- **Provide funds to ensure the security of our elections, election workers and voters**







**Secretary of State**

[Michigan.gov/SOS](https://Michigan.gov/SOS)

# Michigan Elections

Secure and fair, accurate and accessible

2023



## CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490

Office 989.386.7541 | Fax 989.386.4508

[www.cityofclare.org](http://www.cityofclare.org)

### CITY HALL

Ph 989.386.7541

Fx 989.386.4508

[www.cityofclare.org](http://www.cityofclare.org)

Manager x102

Assessor x103

Clerk x106

Treasurer x107

### DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or

989.386.7541 x202

Fx 989.386.4508

### UTILITY BILLING

Ph 989.386.7541 x201

### W/WWT PLANT

Ph 989.386.2321

Fx 989.386.2387

### POLICE DEPT. NON-EMERGENCY

Ph 989.386.2121

Fx 989.386.0440

### FIRE DEPT. NON-EMERGENCY

Ph 989.386.2151

Fx 989.386.3020

### PARKS & RECREATION

Ph 989.386.7541 x213

Fx 989.386.4508

### AIRPORT

Ph 989.386.0445

Fx 989.386.4508

### CITY OF CLARE PUBLIC NOTICE

The City of Clare Planning Commission will hold a public hearing on Wednesday, March 8, 2023, 6:30 p.m., at Clare City Hall, 202 West Fifth Street, Clare, Michigan, to receive public comment pertaining to a proposed site plan application by ALDI, Inc./Andrew Shaw, to build a 20,664 sq. ft. ALDI store on South Clare Avenue, adjacent to Culver's Restaurant. The Planning Commission will accept comments at the hearing or in writing if the written comments are received by the City Clerk no later than 4:00 p.m. on the hearing date. A copy of the site plan application is available for review at Clare City Hall. *The City of Clare is an equal opportunity provider and employer.*

**Diane Lyon**  
Clare City Clerk



**CITY OF CLARE  
PUBLIC NOTICE**

**The City of Clare Planning Commission will hold a public hearing on Wednesday, March 8, 2023, at 6:30 p.m. at Clare City Hall, 202 W. Fifth St., Clare Michigan, to receive public comment pertaining to a site plan application of American Marble & Granite for a proposed new façade at 203 N. McEwan Street, Clare, Michigan. The Planning Commission will accept comments at the hearing or in writing if the written comments are received by the City Clerk not later than 4:00 p.m. on the date of the hearing. Written comments may be dropped off to the City Clerk at Clare City Hall or submitted by email to [dlyon@cityofclare.org](mailto:dlyon@cityofclare.org). A copy of the site plan application is available for review at the City Clerk's Office. The City of Clare is an equal-opportunity employer and provider.**

**Diane Lyon  
City Clerk**

