

AGENDA REPORT

TO: Mayor Pat Humphrey & Clare City Commissioners
FROM: Diane Lyon, City Clerk
DATE: April 27, 2023
RE: *Communications

For the Agenda of May 1, 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 May 1, 2023.**

FOIA Requests & Responses: The most recent FOIA requests and responses are attached for information. Stephanie Beltinck, Steep Steel, Carol Majewski, Plunkett Cooney, Allium Data, and Yehuda Miller.

Charter Communications Update: Charter has announced a cost change for certain multimedia terminal adapters.

Clare County Food Distribution: Clare County's May 2023 food distribution is scheduled for May 6 at the Clare County Fairgrounds.

Attachments. As noted above.

PUBLIC RECORDS
ALLIUM DATA
1919 14TH ST STE 700
BOULDER, CO 80302-5482

*****AUTO**ALL FOR AADC 480

PL2 T27 P1 S11859

THE CITY OF CLARE
202 W 5TH ST
CLARE MI 48617-1457



4/17/2023

Dear Public Records Department:

Please consider this letter as a public records request for commercial purposes as defined under the laws applicable to your jurisdiction.

We are requesting:

1. A copy of the last property & casualty insurance renewal summary for all lines of insurance purchased by the city (general liability, auto, workers comp, professional, directors and officers, etc.). This document summarizes the insurance terms, limits, deductibles, premium and exclusions.
2. A copy of the last employee benefits insurance renewal summary for health, dental and vision plans sponsored by the city. This document shows plan options available to the city's employees and the pricing for employee, employee plus spouse, employee plus family.

Please respond with PDF versions of the requested documents or any questions you may have to the following email address;
publicrecords@alliumdata.com

Thank you,

Michael Rost
Founder & CEO
Allium Data





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

April 25, 2023

Michael Rost
Public Records
Allium Data
1919 14th St, Ste 700
Boulder CO 80302-5482

E: publicrecords@alliumdata.com

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

Your request for public record(s) under the Michigan Freedom of Information Act (“FOIA”), dated April 17, 2023, and received in this office on April 24, 2023, for the following records is acknowledged:

1. A copy of the last property & casualty insurance renewal summary for all lines of insurance purchased by the city (general liability, auto, workers comp, professional, directors and officers, etc.). This document summarizes the insurance terms, limits, deductibles, premium and exclusions.
2. A copy of the last employee benefits insurance renewal summary for health, dental and vision plans sponsored by the city. This document shows plan options available to the city’s employees and the pricing for employee, employee plus spouse, employee plus family.
3. Please respond with PDF versions of the requested documents.

Your request for information is hereby **Granted. A copy of the information will be provided within 30 days upon receipt of a deposit as outlined in the attached fee itemization estimate.**

The City of Clare’s FOIA Procedures and Guidelines and Summary are available for review on our website at 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.

The City of Clare is an Equal Opportunity Provider and Employer



(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, FOIA Coordinator

The City of Clare is an Equal Opportunity Provider and Employer



Diane Lyon

Subject: FW: FOIA request

From: Steph Beltinck <stephbeltinck@gmail.com>

Sent: Sunday, April 16, 2023 12:45 PM

To: Diane Lyon <DLyon@cityofclare.gov>

Subject: FOIA request

April 15th, 2023

City of Clare Clerk

Attn: FOIA Coordinator

Re: Freedom of Information Act ("FOIA") Request

Dear FOIA Coordinator:

Pursuant to Michigan's FOIA statutes and regulations, I am writing to request an electronic copy of the qualified voter file in CSV format for the jurisdiction dated May 1, 2023. If possible, please include in this file the voter history for the November 2022 election.

Retrieval directions of CSV files can be found in the State of Michigan Clerks manual on pages 40-41.

An email response to this request is preferred. If email is not available, please contact me at phone number below so that we can coordinate how it is to be provided (mail, pickup from office, other).

Please waive or reduce the fee to search for or furnish copies of the requested public records on grounds that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public records can be considered as primarily benefitting the general public.

Thank you for your assistance.

Sincerely,

Stephanie Beltinck
Isabella County Canvasser
989-621-2377



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

April 20, 2023

Stephanie Beltinck
Phone (989) 621-2377
stephbeltinck@gmail.com

RE: **FOIA Request #2023-024.** Your request is hereby: **Denied.**

Your request for public record(s) under the Michigan Freedom of Information Act ("FOIA"), dated April 15, 2023, and received in this office on April 17, 2023, for the following records is acknowledged: **an electronic copy of the qualified voter file in CSV format for the jurisdiction dated May 1, 2023. If possible, please include in this file the voter history for the November 2022 election.**

1. Your request as described is denied because it is incomplete and does not satisfy the request requirements of FOIA PA 442 15.233(1).
2. Your request as described is further denied under exemptions MCL 15.243(1)(y), MCL 15.243(z), and MCL 168.509gg. Contact the Michigan Secretary of State's Office at Michigan.gov/ContactSOS if you do not agree with this decision.

The City of Clare's FOIA Procedures and Guidelines and Summary are available for review on our website at 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.

Diane Lyon, Freedom of Information Coordinator

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Diane Lyon

From: Diane Lyon
Sent: Thursday, April 20, 2023 7:32 AM
To: 'records@steepsteelgov.us'
Cc: Jennifer Kinberg; Sarah Schumacher
Subject: RE: FOIA REQUEST

Good morning,

I am awaiting a response to the email that I sent to you on April 18. If I do not receive a response within 10 days (by April 30), your request will be considered null and void.

Diane Lyon, City Clerk
Clare City Hall
202 W. Fifth St.
Clare, MI 48617

Phone: (989) 386-7541 x106
Fax: (989) 386-4508
Email: dlyon@cityofclare.gov
City Hall office hours Monday -Thursday 7:00am-5:30pm

From: Diane Lyon
Sent: Tuesday, April 18, 2023 3:35 PM
To: 'records@steepsteelgov.us' <records@steepsteelgov.us>
Cc: Jennifer Kinberg <JKinberg@cityofclare.gov>; Sarah Schumacher <[SSchumacher@cityofclare.gov](mailto:sschumacher@cityofclare.gov)>
Subject: RE: FOIA REQUEST

Hello Angel

You requested this information in June of last year. I provided a fee estimate but received no response. Do I need to complete another estimate?

Diane Lyon, City Clerk
Clare City Hall
202 W. Fifth St.
Clare, MI 48617

Phone: (989) 386-7541 x106
Fax: (989) 386-4508
Email: dlyon@cityofclare.gov
City Hall office hours Monday -Thursday 7:00am-5:30pm

From: Angel Tormis <records@steepsteelgov.us>
Sent: Sunday, April 16, 2023 5:06 AM
To: FOIA <FOIA@cityofclare.gov>; Diane Lyon <DLyon@cityofclare.gov>
Subject: FOIA REQUEST

Mr. / Ms.:

Good Day!

Name: Angel Tormis

Phone Number: 936-298-6500

Organization: SteepSteel, LLC

Address: 1095 Evergreen Circle, Suite 200, The Woodlands, TX 77380

Email Address: Records@SteepSteelGov.us

Request:

Please send us copies of all active leases/licenses for cell towers, rooftop antennas, or other wireless installations on property owned or managed by the City of Clare, Michigan along with 24 months of associated payment histories.

Thank you!

Best Regards,

Angel Tormis

Diane Lyon

From: dlyon@cityofclare.gov
Sent: Thursday, April 20, 2023 10:11 AM
To: Diane Lyon
Subject: New submission from Request for Examination or Copy of Records (FOIA)

Requestor Information

Name

Carol Majewski

Date of Birth

05/01/1965

Street Address

212 S. Broad St

City

Harrison

State

Michigan

Zip Code

48625

Daytime Phone:

(989) 539-8870

Email

majewskic@clareco.net

Request Information

Date/Time of Incident:

04/20/2023

CPD Comp #:

23-21023210

Type of Incident:

vandalism

Location of Incident:

210 wilcox st

I am requesting the following record(s):

I am requesting the police report for the vandalism damages to the building owned by Senior Services at 210 wilcox st. (the old beauty school).

I am requesting the above record(s) for:



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

April 20, 2023

Carol Majewski
212 S. Broad St.
Harrison MI 48625

Phone: 989-539-8870
mjewskic@clareco.net

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

Your request for public record(s) under the Michigan Freedom of Information Act (“FOIA”), dated February 28, 2022, and received in this office on February 28, 2022, for the following records is acknowledged: **I am requesting the police report for the vandalism damages to the building owned by Senior Services at 210 Wilcox St. (the old beauty school).**

1. All non-exempt information is being provided at this time. Some information is redacted under the provisions of **MCL 15.243 Section 13 Exemption (a) Information of a personal nature if public disclosure of the information would constitute a clearly unwarranted invasion of an individual’s privacy.**

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

The City of Clare’s FOIA Procedures and Guidelines and Summary are available for review on our website at www.cityofclare.org. A copy of this request will be kept on file for no less than one (1) year.

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.

Diane Lyon
City Clerk & Freedom of Information Coordinator

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April 21, 2023

Diane Lyon
City Clerk/FOIA Administrator
Clare City Hall
202 W Fifth Street
Clare, MI 48617

Re: ***Scott Lovchuk v Adam Griffith***
Case No. 2023-198450-NO
Claim No.: 23-9266689
Date of Loss: June 17, 2021

FOIA REQUEST

Dear Ms. Lyon:

We represent the Defendant in the above-referenced matter. The claimant in the above-referenced matter, Scott Lovchuk (DOB: 4/2/78), was involved in an incident which occurred on June 17, 2021, and which is the subject of this litigation. We are requesting any and all documents, investigative reports, and body cam footage associated with said incident, if applicable. Pertinent incident information necessary to complete this FOIA Request is provided below. Should you have any questions regarding this request, please feel free to contact me, or my paralegal, David M. Boutrous (248-594-2734; dboutrous@plunkettcooney.com). Thank you.

Clare County Sheriff Department
Incident Date: 6/17/21
Incident Type: Traffic Crash with injury; suspicious activity
Time of Incident: 2105
Incident #: 2106170091
Case 21-168-6
Incident Location: Dirt Road, Angle/S of Claroskee, Harrison, MI 48625

Very truly yours,

PLUNKETT COONEY

Kimberly K. Seibert
Direct Dial: 313-983-4439
kseibert@plunkettcooney.com

ATTORNEYS & COUNSELORS AT LAW

Diane Lyon

From: Boutrous, David <DBoutrous@plunkettcooney.com>
Sent: Tuesday, April 25, 2023 12:22 AM
To: Diane Lyon
Cc: FOIA
Subject: RE: FOIA Request

Ms. Lyon,
Thank you for pointing that out! I apologize.

Best,



David Boutrous
Paralegal

Plunkett Cooney
Attorneys & Counselors at Law
T 248.594.2734

[bio](#) | [office](#) | [vcard](#) | [web](#)

From: Diane Lyon <DLyon@cityofclare.gov>
Sent: Monday, April 24, 2023 7:38 AM
To: Boutrous, David <DBoutrous@plunkettcooney.com>
Cc: FOIA <FOIA@cityofclare.gov>
Subject: RE: FOIA Request

[EXTERNAL]

Good morning Mr. Boutrous,
Your FOIA request is addressed to the Clare County Sheriff's Department and the location is not within the City of Clare's jurisdiction so I am assuming you meant to send it there?

Diane Lyon, City Clerk
Clare City Hall
202 W. Fifth St.
Clare, MI 48617

Phone: (989) 386-7541 x106
Fax: (989) 386-4508
Email: dlyon@cityofclare.gov
City Hall office hours Monday -Thursday 7:00am-5:30pm

Diane Lyon

From: Michigan Ops <michiganops@protonmail.com>
Sent: Sunday, April 23, 2023 12:08 PM
Subject: Public Records Request

This may be a duplicate request, please treat it as new request with a new response date even if you previously responded.

I am requesting a high resolution, double sided, color scan of all records from the 2020 general election to be interpreted liberally to include all records from the 2020 general election to include but not limited to:

Ballots

Absentee ballot envelopes

Chain of custody documents

Pre-Election Testing and Certification Forms

Seal Request Forms

Pollbook data from every precinct and AVCB (Oath administration, List of Voters, Remarks, Ballot Summary, Certificate of Election Inspectors, Statement of Votes totals tape)

Canvass Working Documents

Official Certified Results

Please specify if any records have been destroyed.

Please also include a daily rate for in person inspection option.

Thank You

Yehuda Miller

140 Merrison Street

Teaneck NJ 07666

michiganops@protonmail.com



April 14, 2023



T1 P1 86 *****AUTO**ALL FOR AADC 480

City Of Clare
202 W. Fifth Street
Clare, MI 48617-1490

Re: Charter Communications - Upcoming Changes

Dear Franchise Official:

We value our customers and are committed to providing them with the latest products and technology, and we work hard to keep prices as low as possible. Effective May 16, 2023, the price for unreturned residential embedded multimedia terminal adapters (D3 and newer models, wired and wireless) will reduce by \$1.00 per month.

We remain committed to providing excellent communications and entertainment services in your community. If you have any questions about this change, please feel free to contact me at (906) 553-7866.

Sincerely,

Joan Movrich
Manager - State Government Affairs, Michigan
Charter Communications



Free Drive-Through Mobile Food Distribution

Saturday, May 6, 2023

Registration: 9 a.m. for vehicles to line up

Distribution: From 10:00 a.m. until at least 11:30 a.m.

Clare County Fairgrounds

418 Fairlane St., Harrison, MI 48625

Participation Details

- Food will be placed in your trunk/hatchback, so *please make room in advance* and *bring some empty boxes or baskets the food*.
- Stay in your vehicle for registration and food distribution.
- Restrooms will *not* be available.
- Only one household should travel together in a vehicle.
- If you do not have access to a vehicle, are experiencing symptoms of COVID-19, or are feeling ill, please stay home & arrange for someone to pick up your food.
- All in need of food and/or in financial hardship are welcome to participate.

See Community Nutrition Network-Clare County on Facebook and the community calendars in the Clare County Cleaver and the Clare County Review for reminders. You can also call the Greater Lansing Food Bank at 517.908.3680 for more information.

This month's food distribution is conducted in partnership with the Greater Lansing Food Bank and is coordinated by the all volunteer Community Nutrition Network.

Mark your calendar - Community Nutrition Network's upcoming 2023 monthly, Saturday food distributions: **May 6, Jun. 3, Jul. 8, August 5, Sep. 9, Oct. 7, Nov. 4, and Dec. 2**. We will be at the Clare County Fairgrounds through November.

The Greater Lansing Food Bank and the Community Nutrition Network are equal opportunity providers.