

AGENDA REPORT

TO: Mayor Pat Humphrey & Clare City Commissioners
FROM: Diane Lyon, City Clerk
DATE: May 9, 2023
RE: *Communications

For the Agenda of May 15, 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 15, 2023.**

FOIA Requests & Responses: The most recent FOIA requests and responses are attached for information. Deltek Inc., Yahuda Miller, Clarissa Filhart, Stephanie Beltinck.

MML Annual Update: The Michigan Municipal League issued a letter outlining new programs , initiatives, and member benefits.

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

- Public Notice for Ordinance 2023-002 summary regarding Boat, Trailer, Camper, Vehicle Storage & Parking.
- Public Notice for an RFP for WWT for a new glass washer.
- Public Notice for an RFP for Airport & Police Department Roof Projects.

Attachments. As noted above.

Diane Lyon

From: Deltek Public Records <PublicRecords@deltek.com>
Sent: Wednesday, April 26, 2023 7:31 PM
To: Diane Lyon
Cc: RheaMaeLumanog@deltek.com
Subject: Public Records Request: WWTP Ultraviolet Disinfection Replacement - City of Clare [PRR-102478]

Hello,

Deltek is submitting a public records request to City of Clare for commercial purposes.

Would a representative please provide the information relating to the solicitation below? If available, please include any awarded contract documents and bid tabulation/results.

Project Name: WWTP Ultraviolet Disinfection Replacement - City of Clare
Bid Number: Unknown
Due Date: 8/17/2022
Contract Number:
Awarded Vendor Name:
Awarded Vendor Address:
Awarded Vendor Phone:
Award Amount:
Award Date:
Start Date:
End Date:
Contract Terms:
Contract Document:

Please confirm receipt of this request and advise (in advance) if a fee will be required.

If this request was misrouted, please forward to the correct contact and/or reply to this email with the appropriate contact information.

Regards,
Rhea Mae Lumanog

Public Records Requests
Deltek, Inc.
2291 Wood Oak Drive, Herndon VA 20171



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

April 27, 2023

Rhea Mae Lumanog
Deltek, Inc.
2291 Wood Oak Dr.
Herndon VA 20171

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

Your request for public record(s) under the Michigan Freedom of Information Act (“FOIA”), dated April 26, 2023, and received April 27, 2023, for the following records is acknowledged: information relating to the solicitation WWTP Ultraviolet Disinfection Replacement - City of Clare; Contract number, Name of Awarded Vendor, Vendor Address, Vendor Phone, Award Amount, Award Date, Start Date, End Date, Contract Terms, Contract Document.

Your request for information is hereby **Granted. A copy of the fee schedule is attached along with the documentation.**

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.

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



Where the north begins at the crossroads of Rt 10 and 127.



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

FREEDOM OF INFORMATION ACT
NOTICE OF 10-DAY EXTENSION

May 1, 2023

Yehuda Miller
140 Merrison Street
Teaneck NJ 07666

michiganops@protonmail.com

RE: FOIA #2023-029 Dated April 23, 2021, Received via email on April 24, 2023

For the following documents: 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.

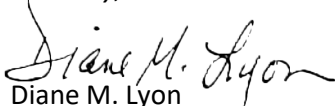
Please also include a daily rate for in person inspection option.

We are in receipt of your request for the records noted above. Due to the extent of the request an additional ten (10) business days will be required in order to provide a response.

This public body shall, therefore, on or before: May 16, 2023.

- (1) Grant the request;
- (2) Issue a written notice denying the request; or
- (3) Grant the request in part and issue a written notice denying the request in part.

Sincerely,


Diane M. Lyon

Clare City Clerk & Freedom of Information Coordinator

The City of Clare is an Equal Opportunity Provider and Employer



Diane Lyon

From: Clarissa Filhart <cookiefil@yahoo.com>
Sent: Sunday, May 7, 2023 7:04 PM
To: Diane Lyon
Cc: Clarissa Filhart
Subject: Freedom of Information Request

May 7, 2023

City of Clare Clerk, Diane Lyon
FOIA Coordinator
202 W. Fifth St.
Clare, MI
48617

Good morning, Diane,

Can you please provide the following information. Pursuant to the Michigan Compiled Laws Section 15.231 et seq., and any other relevant statutes or provisions of your agency's regulations, I am requesting the following records under the Freedom of Information Act for Clare and Isabella County, Michigan regarding voting records that were within your jurisdiction on May 2, 2023. I.e., Vernon Township and any other jurisdictions that held elections that day.

Electronic poll book flash drive contents in the EPB_HISTORY/CSV_FILES for May 2, 2023, election acknowledging the following law(s): MCL 168.509gg

(1) The information described in this subsection that is contained in a registration record is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. The secretary of state, a designated voter registration agency, or a county, city, township, or village clerk shall not release a copy of that portion of a registration record that contains any of the following:

- (a) The record that a person declined to register to vote.
- (b) The office that received a registered voter's application.
- (c) A registered voter's driver's license or state personal identification card number.
- (d) The month and day of birth of a registered voter.
- (e) The telephone number provided by a registered voter.
- (f) The digitized signature of an elector that is captured or reproduced and transmitted to the qualified voter file by the secretary of state or a county, city, or township clerk under section 509hh or by the secretary of state under section 307 of the Michigan vehicle code, 1949 PA 300.

The driver's license and birthdate are exempt from disclosure; therefore, they should be redacted. Additionally, none of the software or proprietary components of the infrastructure of the Electronic Pollbook are being requested. Only the data contained within the spreadsheet created in the CSV files. I request this information before the seven-day period after the Board of Canvasser's finishes their final canvass and a directive is sent out by the MBOE to delete the information before the retention period of two years has expired.

Please refer to pages 40-41 of the Clerk's Refresh Manual to assist in the retrieval of the data.

I prefer this information to be shared electronically to reduce the cost of this request. Furthermore, I request the fee be reduced to assist in obtaining these public records. If it is necessary to contact me to refine or clarify my request, please call me (989) 339-6850, or email me cookiefil@yahoo.com. If postal mail is necessary, my mailing address is 9088 N. Leaton Rd., Clare, Mi 48617.

Thank you,
Clarissa Filhart

Diane Lyon

From: Steph Beltinck <stephbeltinck@gmail.com>
Sent: Tuesday, May 9, 2023 9:57 AM
To: Diane Lyon
Subject: FOIA request EPB CSV data file, paper copy

May 9th, 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 a paper printed copy of the qualified voter file EPB data in CSV format for the said jurisdiction, for the last data file/election. Please include on the paper copy spreadsheet: name of voter, address, jurisdiction, ballot number, date, time stamp, voter ID, registration date, and birth year, and AV or in person if applicable.

Retrieval directions of CSV files can be found in the State of Michigan Clerks manual on pages 40-41. Retrieval of deleted previous election can be sought by contacting various clerks in Isabella County. I have received "thought to be deleted" CSV files.

Legal counsel for responses of "deleted data", "does not exist", or a non response to a legal FOIA request may be sought on my behalf.

Please let me know how I can obtain the paper copy: 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
502 W Broadway
Mount Pleasant MI 48858

May 15, 2023

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

Yahuda Miller
140 Merrison Street
Teaneck NJ 07666
michiganops@protonmail.com

RE: 2023-029 Public Records Request for: 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 including 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

**DEPARTMENT OF
PUBLIC WORKS**

Ph 989.386.2182 or
989.386.7541 x202
Fx 989.386.4508

Please specify if any records have been destroyed. Please also include a daily rate for in-person inspection option.

Dear Mr. Miller:

UTILITY BILLING

Ph 989.386.7541 x201

This letter is in response to your Public Records Request dated April 24, 2023. Your request for records from the November 3, 2020 Election for the City of Clare, Michigan is hereby granted in part. The canvass documents and official results are held by the County.

W/WWT PLANT

Ph 989.386.2321
Fx 989.386.2387

Pursuant to MCL 15.234 and the City of Clare's FOIA policy, a public body may charge a fee for labor associated with fulfilling a Freedom of Information Act request when failure to do so will result in unreasonably high costs to the public body that are excessive and beyond the normal or usual amount for those services compared to the public body's usual FOIA requests. Because only a Clerk or another person deputized and authorized by a Clerk may legally handle election records, it will be necessary for me or one of my staff to scan the documents or assist in the inspection of the documents. Please note that due to the size of the ballots, 4 separate scans will be required in order to copy the entire ballot.

**POLICE DEPT.
NON-EMERGENCY**

Ph 989.386.2121
Fx 989.386.0440

To process your request, the City of Clare has provided an estimate of fees (attached) to provide the information requested in electronic format. The City further estimates a FOIA processing fee of **\$784.69** to search for, retrieve, review, separate, examine material, redact, be present, and assist during an in-person inspection of the requested records. Examination of records must be scheduled and will take place when city staff is available, during City Hall's regular business hours. You may contact me at (989) 424-4068 to schedule an examination of records following the receipt of a deposit.

**FIRE DEPT.
NON-EMERGENCY**

Ph 989.386.2151
Fx 989.386.3020

Pursuant to MCL 15.234(8) a public body may require a 50% good-faith deposit if the entire fee estimate exceeds \$50.00. Accordingly, the City of Clare requires a deposit in the amount of **\$1,535.05 to complete your request for scanned documents or the amount of \$392.35 if an in-person review is conducted.** Pursuant to MCL 15.234(14) this deposit must be received by the end of business on Thursday, June 29, 2023, otherwise, this request will be considered abandoned, and the City of Clare will not be required to fulfill the request. Under Section 10a of the Freedom of Information Act, you have the right to appeal the fee to the head of the public body. Upon receipt of the deposit, we will begin locating and compiling the requested. The City of Clare estimates a processing time of 60 business days after receipt of payment.

**PARKS &
RECREATION**

Ph 989.386.7541 x213
Fx 989.386.4508

Sincerely,

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

Diane M. Lyon
Clare City Clerk & FOIA Coordinator



Ms. Diane Lyon
City Clerk
Clare

Dear Ms. Diane Lyon,

The Michigan Municipal League exists for you, and we mean it when we say, "We Love Where You Live." The true power of the League comes from you and the combined voices and actions of communities that make Michigan the place more than 10 million people call home. Your municipality's League membership is one of the best investments your community can make.

The League has been a member-driven organization for over 124 years. For example, when the pandemic hit, we sprang into action offering upwards of 100 webinars to assist our members on everything from navigating federal funding to starting up social districts. Our advocacy focused on legislation to help your municipality navigate the pandemic and its impact on your community.

And now with historic change in leadership in the Michigan Legislature, your League strives to keep you informed about the latest legislative activity that impacts our communities of all shapes and sizes.

To better serve our members, the League has launched multiple programs to assist member communities, including:

- **ServeMICity:** This program provides resources and hands-on help to our communities in their post-COVID recovery efforts. Think of it as a personal concierge that will help you navigate federal programs. Learn more at servemicity.org.
- **MI Water Navigator Helpdesk:** This is a one-stop shop toolkit to use in finding Michigan's drinking water infrastructure funding opportunities. The program is available to public municipal water systems and private water utilities. Get started at miwaternavigator.org.
- **The Coalition for a Strong and Prosperous Michigan:** Under the League's leadership, this coalition of organizations, businesses, and individuals was formed to propose a bold vision for Michigan to invest nearly \$6 billion in American Rescue Plan funding. The coalition created The Michigan Prosperity Roadmap that lays out recommendations for our state. Much of what has been approved by the Legislature was called for in this Prosperity Roadmap. View the plan at miroadmap.com.

Our members are our largest stakeholders and without your ongoing support we would not be the organization we are today. In order to continue providing excellent service, representation in Lansing and D.C., and innovative and educational programming, we are adhering to the Headlee Inflationary Index and increasing membership dues by 5 percent beginning July 1, 2023.

We hope you will maximize your membership by participating in a variety of League services, initiatives, and programs. If you have questions related to your dues, please contact Katie Farver at kfarver@mml.org. All other questions can go to info@mml.org. Thank you for your support and for your leadership. Because of you, we are confident our journey to a brighter future can continue.

Sincerely,



Daniel P. Gilmartin
Executive Director & CEO



Barbara Ziarko
President, 2022-2023

We love where you live.



CITY OF CLARE
Summary of Ordinance Adoption

Following the second reading and formal adoption of the following named Ordinance(s), the City of Clare Code of Ordinances as amended become effective June 4, 2023. For a full copy of the Ordinance changes, please contact the City Clerk, at the City of Clare, 202 W. Fifth St., Clare, MI 48617. The City of Clare is an equal opportunity provider and employer.

CITY OF CLARE ORDINANCE AMENDMENT 2023-002, Vehicle Storage and Parking, and Parking and Storage of Trailers, Campers, Recreational Vehicles, and Similar Objects

Chapter 52, Section 52-308, Vehicle Storage and parking is hereby amended and restated.

Chapter 52, Section 52-310, Vehicle Storage and parking is hereby amended and restated.

Diane Lyon
Clare City Clerk



Solicitation for Sealed Bids

The City of Clare is soliciting bids for two roofing projects. Bidders may bid on one or both projects. Bids must include all elements of work stipulated within the Requests For Proposal; Proposals must be signed by an authorized representative of the bidder; bids must be submitted in a sealed envelope clearly marked as Sealed Bid-City of Clare Roof Projects, and shall be submitted to arrive at Clare City Hall, 202 West Fifth Street, Clare, Michigan, 48617, no later than 10:00 am, May 31, 2023, at which time the bids will be opened. Postmarks will not be accepted.

Questions regarding the Clare Municipal Airport Terminal roof should be directed to Airport Manager, Gary Todd @ 989-802-2005. Questions regarding the Clare Public Safety Police Department roof should be directed to Police Chief, David Saad @ 989-429-9179.

The City of Clare reserves the right to accept and/or reject any and/or all bids and is an equal opportunity provider and employer.

Diane Lyon
Clare City Clerk



BID NOTICE

The City of Clare is accepting sealed bids for the purchase of one (1) Lab Glassware Washer. Specifications may be obtained from Dale Clark Director of Water Treatment, at Clare Waste Water Plant 11175 S. Eberhart Ave., dclark@cityofclare.org, or (989) 386-2321. Sealed bids should be submitted to:

City of Clare
Sealed Bid: Glassware Washer
202 West Fifth Street
Clare, MI 48617

Sealed bids will be accepted until 1:00 pm on Friday, May 12, 2023, at which time the bids will be opened. The City of Clare reserves the right to accept and/or reject any and/or all bids. Postmarks will not be accepted.

The City of Clare is an equal opportunity provider and employer.

Dale Clark
Clare Water Treatment

