

AGENDA REPORT

TO: Mayor Pat Humphrey & Clare City Commissioners
FROM: Diane Lyon, City Clerk
DATE: July 13, 2023
RE: *Communications

For the Agenda of July 17, 2023

***Note: This is a Consent Agenda item and is considered 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 July 17, 2023.**

FOIA Requests & Responses: The most recent FOIA requests and responses are attached for information. Outside Legal Counsel submitted a request for information and we received multiple requests (verbal and/or in writing) for information related to the fight among GOP members at the Doherty Hotel this past weekend. Those requests included: Charles Blackwell, Fox 17 News, Sinclair Broadcasting, Wood TV, Detroit News, Detroit Free Press, Midland Daily News, MLIVE, Up North Live, MIRS News, WXYZ, 9&10 News, CMU, MI News 26, Cedar Spring Post, Central Michigan Pulse, WNEM, Clare County Review, Clare County Cleaver, US News, CANOS Broadcasting, Marion Press, Pioneer Group, NBC 25, ABC 12, WTCM, WWMT, WZZM 13, MSP, Michigan Guide, Cadillac News, Digital First Media, AP News, Isabella County, CM-Life, Big Rapids Radio Network, Michigan Headlines Media, The Pioneer, and Gongwer News Service.

Charter Communications Programming Change: Charter has announced additional upcoming programming changes and rate changes.

Site Plans, Special Use Permits, Variance Requests & Public Notices: July Board of Review.

Attachments. As noted above.



Correspondence from Philip L. Ellison, MBA, JD, Esq
Business Counselor & Attorney at Law
pellison@olcplc.com

July 5, 2023
SENT VIA US MAIL

FOIA Coordinator
City Treasurer/Finance Director
202 West Fifth Street
Clare , MI 48617

Re: FOIA Request

Dear FOIA Coordinator:

Pursuant to the Michigan Freedom of Information Act (MCL § 15.231 et seq), I am requesting a copy of the following record(s):

- The name of every property owner who suffered a fire and had withheld proceeds from insurance as part of the Fire Withholding Insurance Program within the past three (3) years
- The address of the building that suffered a fire
- The fire victims current address if known
- The amount of money you seized from the fire victim
- The amount of interest you generated from the money seized

I am willing to pay reasonable fees, in accordance with FOIA cost regulations, for the fulfillment of this request. However, if the cost exceeds twenty dollars (\$20.00), please contact me before proceeding.

To save time and resources, please feel free to provide these records in electronic PDF format by email at @olcplc.research@gmail.com.

Should you decide to invoke a FOIA exemption as the basis for withholding any record or part of any record in response to this request, please include in your response letter sufficient information, including but not limited to basic factual material about each item withheld, the date, originator, length, general subject matter, and location for each item. Please also include an explanation and justification in detail, specifically any part thereof was withheld. Notwithstanding, please redact any exempt portion and provide the remainder of the record.

Consistent with the requirement of the Act, your response is expected and due within five (5) business days.

Best regards,

Philip L. Ellison, MBA, JD, Esq.
Attorney at Law

Great Lakes Bay Region
PO Box 107
Hemlock, MI 48626
Direct (989) 642-0055
Fax (888) 398-7003



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

July 12, 2023

Phillip L. Ellison, Attorney at Law
Outside Legal Counsel
Great Lakes Bay Region
PO Box 107
Hemlock MI 48626

Phone: 989-642-0055
Fax: 888-398-7003
Email: olcplc.research@gmail.com

RE: **Freedom of Information Act (“FOIA”) Request Response to FOIA #2023-033**

Your request for public record(s) under the Michigan Freedom of Information Act (“FOIA”), dated July 5, 2023, and received in this office on July 10, 2023, for the following records is acknowledged: **The name of every property owner who suffered a fire and had withheld proceeds from insurance as part of the Fire Withholding Insurance Program within the past three (3) years; the address of the building that suffered a fire; the fire victims current address if known; the amount of money you seized from the fire victim; the amount of interest you generated from the money you seized** is hereby: **Granted.**

1. All non-exempt information is being provided to you at this time.
2. A FOIA fee schedule is attached.

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

The City of Clare is an Equal Opportunity Provider and Employer



Diane Lyon

From: Charles Blackwell <cblack618@gmail.com>
Sent: Saturday, July 8, 2023 4:01 PM
To: Diane Lyon; Dave Saad; Jeremy Howard; Kim Horwood-Bussell; Pat Humphrey
Subject: FOIA Request: GOP Fight

Charles Blackwell
22655 Fairmont Dr
Apt 102
Farmington Hills, MI 48335
313 739 3597

This is a **FOIA** request.

1. I am seeking a copy of the police report for the incident at the MI GOP meeting that occurred on today's date.

Please email me the response letter and responsive documents



3117 PLAZA DRIVE NE
GRAND RAPIDS, MI 49525
PH # 616-447-5273
news@fox17online.com

DATE: 7/8/2023

TO: FOIA COORDINATOR/CLARE POLICE DEPARTMENT

FROM: CARL GUSTIN / FOX 17 NEWS – WXMI-TV (616-447-5273)

RE: FOIA REQUEST

UNDER THE PROVISIONS OF MICHIGAN FREEDOM OF INFORMATION ACT 442, I AM REQUESTING ACCESS TO:

- The Police Investigative Report and any body camera video related to an altercation at the Doherty Hotel during a Michigan Republican Party meeting on Saturday, July 8, 2023.

Please call me at (616) 447-5273 or e-mail: news@fox17online.com when available. Thank you! Carl Gustin

IF THERE ARE ANY FEES FOR SEARCHING FOR, OR COPYING, THE RECORDS I HAVE REQUESTED, PLEASE INFORM ME BEFORE YOU FILL THE REQUEST.

AS YOU KNOW, THE ACT PERMITS YOU TO REDUCE OR WAIVE THE FEES WHEN THE RELEASE OF THE INFORMATION IS CONSIDERED AS "PRIMARILY BENEFITING THE PUBLIC."
I BELIEVE THAT THIS REQUEST FITS THAT CATEGORY AND I THEREFORE ASK THAT YOU WAIVE ANY FEES.

IF ALL OR ANY OF THIS REQUEST IS DENIED, PLEASE CITE THE SPECIFIC EXEMPTION(S) WHICH YOU THINK JUSTIFY YOUR REFUSAL TO RELEASE THE INFORMATION AND INFORM ME OF YOUR AGENCY'S ADMINISTRATIVE APPEAL PROCEDURES AVAILABLE TO ME UNDER THE LAW.

I WOULD APPRECIATE YOUR HANDLING THIS REQUEST AS QUICKLY AS POSSIBLE, AND I LOOK FORWARD TO RECEIVING A RESPONSE FROM YOU WITHIN 5 WORKING DAYS, AS THE LAW STIPULATES.

Diane Lyon

From: dlyon@cityofclare.gov
Sent: Tuesday, July 11, 2023 11:27 AM
To: Diane Lyon
Subject: New submission from Request for Examination or Copy of Records (FOIA)

Requestor Information

Name

Rachel Just

Date of Birth

09/21/1994

Street Address

590 W Maple St

City

Kalamazoo

State

MI

Zip Code

49008

Daytime Phone:

(517) 897-4861

Email

rjust@sbqtv.com

Request Information

Date/Time of Incident:

July 8, 2023

CPD Comp #:

Unknown

Type of Incident:

Assault

Location of Incident:

Doherty Hotel

I am requesting the following record(s):

Hello,

I am a reporter with Sinclair Broadcast Group, and I would like to request records for an incident that occurred at the Doherty Hotel in Clare on Saturday, July 8, 2023, with members of the Michigan Republican Party. This incident has been cited in other

outlets and I am looking for the police report to confirm details of the alleged incident.

I respectfully request the records are sent as soon as possible so that we can report on this incident in a timely manner. Thank you for your time and effort. Have a great day.

Rachel Louise Just

I am requesting the above record(s) for:

Copying

Please check this box if you wish to receive a "True Copy" of the requested record(s):

Check Here

Diane Lyon

Subject: FW: Media inquiry

From: kasbena@gongwer.com <kasbena@gongwer.com>

Sent: Monday, July 10, 2023 1:48 PM

To: Dave Saad <DSaad@cityofclare.gov>

Subject: Media inquiry

Hi Chief Saad,

I am a journalist working in Lansing and following up on the reports out of Clare this weekend with the MIGOP meeting there. Wondering if you can confirm for me the department is investigating a physical altercation that took place there?

Also wondering when you might wrap up your investigation and forward that to prosecutors for review?

I know it is early in the process but any other details you could share would be helpful. My number is 248-808-7151 if you would like to give me a call.

Thank you!

Alethia Kasben
Managing Editor
Gongwer News Service
248-808-7151 (cell)
517-482-3500 (office)
Twitter: @kasbenal

Diane Lyon

Subject: FW: Doherty hotel disturbance

From: John Hogan <John.Hogan@woodtv.com>

Sent: Monday, July 10, 2023 3:43 PM

To: cpd police <cpd@cityofclare.gov>

Subject: Doherty hotel disturbance

Monday, July 10, 2023

3:42 p.m.

Good afternoon. Wondering if the Clare Police has a report into a donnybrook that took place on Friday, July 7 at the Doherty Hotel involving attendees of state Republican party function.

Is this something you could provide or would you prefer it be submitted as a freedom of information act request.

Thanks for any assistance – direction you can provide.

John

John Hogan

Assignment Manager

[WOOD TV](#) | [ABC 4 West Michigan](#) | [WXSP](#)

120 College Ave. SE

Grand Rapids, MI 49503

616-970-5508 Cell

616-771-9633 Newsroom

616-456-5755 Fax

john.hogan@woodtv.com

www.woodtv.com



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Diane Lyon

From: dlyon@cityofclare.gov
Sent: Tuesday, July 11, 2023 2:48 PM
To: Diane Lyon
Subject: New submission from Request for Examination or Copy of Records (FOIA)

Requestor Information

Name

Craig Mauger

Date of Birth

07/11/2023

Street Address

2754 River Pointe Drive

City

Holt

State

Michigan

Zip Code

48842

Daytime Phone:

(765) 967-7700

Email

cmauger@detroitnews.com

Request Information

Date/Time of Incident:

July 8, 2023

CPD Comp #:

Unknown

Type of Incident:

Altercation

Location of Incident:

The Doherty Hotel

I am requesting the following record(s):

I am requesting any complaints or records the department possesses related to an altercation at The Doherty Hotel during at Michigan Republican Party state committee meeting on July 8, 2023.

I am requesting the above record(s) for:

Diane Lyon

Subject: FW: Press release 7-8-2023 incident

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: Dave Saad <DSaad@cityofclare.gov>
Sent: Tuesday, July 11, 2023 3:06 PM
To: Diane Lyon <DLyon@cityofclare.gov>
Subject: FW: Press release 7-8-2023 incident

From: Cole Waterman <CWATERMA@mlive.com>
Sent: Tuesday, July 11, 2023 3:04 PM
To: Dave Saad <DSaad@cityofclare.gov>
Subject: RE: Press release 7-8-2023 incident

Thank you for sending this, Chief. I'll check in with you Thursday or Friday to see if the report has been sent to the prosecutor's office and if you can release the report.

Best,
Cole

From: Dave Saad <DSaad@cityofclare.gov>
Sent: Tuesday, July 11, 2023 2:48 PM
To: 26 <news@minews26.com>; 9 and 10 News <news@9and10news.com>; Amy Robinson - CMICH <amy.robinson@cmich.edu>; Bradley Devereaux <BDevereaux@mlive.com>; Big Rapids Radio <news@bigrapidsradionetwork.com>; BR Pioneer <pioinfo@pioneergroup.com>; Bradley Massman - Editor The Pioneer <bmassman@hearstnp.com>; Brian Thompson <miheadlinesmedia@gmail.com>; Cadillac News <News@cadillacnews.com>; Catherine Sweeney <catherine.sweeney@pioneergroup.com>; Cedar Springs Post <news@cedarspringspost.com>; Central Michigan Life <news@cm-life.com>; Central Michigan Pulse <centralmichiganpulse@gmail.com>; Channel 12 News <abc12news@abc12.com>; Channel 5 <wnem@wnem.com>; Clare Cleaver <cccleaver@sbcglobal.net>; Clare County Review <pmaurer@clarecountyreview.com>; CMU <news@wcmu.org>; David Barberi <dbarberi@isabellacounty.org>; David Lyden <DavidLyden@9and10news.com>; Emily Grove-Davis <emily@pioneergroup.com>; Eric Baerren <ebaerren@digitalfirstmedia.com>; Fox 17 <news@fox17online.com>; MLive GRnews <grnews@mlive.com>; Heather Jordan <HJordan@mlive.com>; jkaroub

<jkaroub@ap.org>; John Agar <JAGAR@mlive.com>; Luis Molina - El Informado Newspaper <Luis@elinformadorusa.com>; Michael Kransz <MKRANSZ@mlive.com>; M Seward <mseward@cadillacnews.com>; Manuel Medina - La Ponderosa Radio Station <manuel@canosbroadcasting.com>; Marion Press <yourmarionpress@gmail.com>; Mark Tower - MLive <mtower@mlive.com>; Melissa Frick - CMU life <frick2mm@cmich.edu>; Michelle Graves Pioneer Group Managing Editor <mgraves@pioneergroup.com>; John Tunison <JTUNISON@mlive.com>; Mt. Pleasant Morning Sun <morningsunnewsroom@michigannewspapers.com>; N Hammer <nhammer@cadillacnews.com>; NBC 25 News <news@nbc25.net>; News 34 <news34@cmich.edu>; Rebecca ABC 12 <rebecca.a.trylch@abc12.com>; Ryan Boldrey <RBoldrey@mlive.com>; SBG TV <ngiffune@sbgvtv.com>; Taylor Fussman <tfussman@pioneergroup.com>; Terry Camp <terry.r.camp@abc12.com>; Up North Live <newsroom@upnorthlive.com>; Cole Waterman <CWATERMA@mlive.com>; WATT AM <michiguide@gmail.com>; Whitney <whitney@pioneergroup.com>; Wood TV 8 <newsroom@woodtv.com>; WSGW <news@wsgw.com>; WTCM Radio <news@wtcmradio.com>; WWMT <desk@wwmt.com>; WZZM 13 <news@wzzm13.com>
Cc: Lator, Joshua (MSP) <LatorJ@michigan.gov>; Johnson, David J. (MSP) <JohnsonD56@michigan.gov>; Henke, Cameron (MSP) <HenkeC@michigan.gov>; Anderson, Michael (MSP) <AndersonM19@michigan.gov>; Davis, Robert (MSP) <DavisR21@michigan.gov>; Banner, Shanon (MSP) <BannerS@michigan.gov>; Vetter, Kimberly (MSP) <VetterK@michigan.gov>; John Wilson <wilsonj@clareco.net>; Diane Lyon <DLyon@cityofclare.gov>; Dave Saad <DSaad@cityofclare.gov>; Jeremy Howard <JHoward@cityofclare.gov>

Subject: Press release 7-8-2023 incident

The Clare Police Department responded to the Doherty Hotel in Clare on July 8th 2:11pm for an assault which occurred. The complaint is still under investigation and should be completed and turned over to the Clare County Prosecutor by Thursday July 13th.

The situation is inappropriate, unprofessional, and will not be tolerated.

We received a very large amount of report and FOIA requests reference this complaint as it occurred during a Republican Convention. We are unable to provide our police report until it is submitted to the Clare County Prosecutor and a decision has been made on whether they will be issuing criminal charges.

We will release information as soon as possible.

Thank you

Chief David Saad

Diane Lyon

Subject: FW: GOP Meeting Fight

From: Patrick Livingston
Sent: Tuesday, July 11, 2023 9:59 AM
To: dsaad@cityofclare.gov
Subject: GOP Meeting Fight

Hi Chief Saad,

Can you please send us a copy of the police report on the GOP meeting fight. Thanks in advance for your help.

Patrick Livingston | News Director
WPBN|WTOM - NBC 7&4 | WGTU|WGTQ - ABC 29&8 *
Traverse City, Michigan
Desk: 231.995.5830
Cell: 231.645.3303
www.UpNorthLive.com

*Stations are not owned by Sinclair, Providing services pursuant to a services agreement



Diane Lyon

Subject: FW: Media inquiry

From: Dave Saad <DSaad@cityofclare.gov>

Sent: Tuesday, July 11, 2023 2:56 PM

To: kasbena@gongwer.com; Diane Lyon <DLyon@cityofclare.gov>

Subject: RE: Media inquiry

The Clare Police Department responded to the Doherty Hotel in Clare on July 8th 2:11pm for an assault which occurred. The complaint is still under investigation and should be completed and turned over to the Clare County Prosecutor by Thursday July 13th.

The situation is inappropriate, unprofessional, and will not be tolerated.

We received a very large amount of report and FOIA requests reference this complaint as it occurred during a Republican Convention. We are unable to provide our police report until it is submitted to the Clare County Prosecutor and a decision has been made on whether they will be issuing criminal charges.

We will release information as soon as possible.

Thank you

Chief David Saad



June 28, 2023



T1 P1 84 *****AUTO**ALL FOR AADC 480
City Of Clare
202 W. Fifth Street
Clare, MI 48617-1490

Re: Charter Communications – Upcoming Changes

Dear Franchise Official:

Spectrum Mid-America, LLC (“Spectrum”) is making its customers aware of the following changes to the channel lineup serving your community:

- On or around July 28, 2023, Spectrum will launch carriage of **AMC+** on channel 604. AMC is consolidating AMC Premiere, Shudder, Sundance Now, and IFC Films Unlimited into AMC+ for a \$7.99 monthly subscription price and will contain approximately 16,350 hours of content. Customers that subscribe to AMC+ will be able to access content on Spectrum as well as through the AMC+ app using their Spectrum credentials.
- On or around August 1, 2023, Spectrum will launch carriage of **Jewish Broadcasting Service Expansion (JBS)** on channel 480.
- On or around August 1, 2023, Spectrum will launch carriage of **Jewish Life Television Expansion (JLTV)** on channel 481.

If you should 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



July 7, 2023



T1 P1 87 *****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. Despite our best efforts, rising costs including programming fees charged by TV networks have impacted our pricing. Customers are being notified via bill message regarding the following price changes that will take effect on or after August 9, 2023. Please note for customers who may be paying a promotional price, the retail price and autopay discount does not take effect until the end of the promotional period.

Services/Products	Change
Broadcast TV Surcharge	Will increase by \$1.00/month.
Broadcast TV Surcharge for Spectrum TV Choice and Spectrum TV Stream	Will increase by \$2.20/month.
Spectrum Lifestyle Plan, Silver, and Gold	Will increase by \$5.00/month.
Spectrum TV Choice 10 <ul style="list-style-type: none"> Impacted customers are eligible to call to add 5 additional channels to their lineup starting 7/12/2023; On or after 8/9/2023, customers can visit Spectrum.net/YourChoice to choose channels Customers currently paying \$34.99 per month will only increase \$5.00 to \$39.99 per month with a \$10.00 credit for 12 months Customers currently paying \$39.99 per month will only increase \$5.00 to \$44.99 per month with a \$5.00 credit for 12 months 	Depending on a customer's subscription, will increase by either \$10.00/month or \$15.00/month.
Spectrum TV Choice 15	Will increase by \$5.00/month.
Spectrum TV Stream	Will increase by \$5.00/month.
Spectrum Sports Pack	Will increase by \$2.00/month.
Spectrum Sports View	Will increase by \$1.00/month.
Spectrum Bundled Voice <ul style="list-style-type: none"> Only impacts customers that are not already at current \$19.99 rate 	Will increase by \$5.00/month.

To give customers more choice, Spectrum is excited to announce that effective on or after August 10, 2023, it will launch the following two new Spectrum TV plans. These new Spectrum TV plans are available to both new and current customers. For more information, customers can call Spectrum at 833-267-6094.

Services/Products	Price
Spectrum TV Select Signature <ul style="list-style-type: none">Includes all networks in Spectrum TV Select (over 125 channels) except regional sports networks	\$79.99/month
Spectrum TV Select Plus <ul style="list-style-type: none">Includes all networks in Spectrum TV Select (over 125 channels) including regional sports networks plus NFL Network, NBA TV, MLB Network, NHL Network, and Tennis Channel	\$89.99/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



CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490

Office 989.386.7541 | Fax 989.386.4508

www.cityofclare.org

CITY HALL

Ph 989.386.7541

Fx 989.386.4508

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 JULY BOARD OF REVIEW

The City of Clare Board of Review will hold a meeting on Tuesday, July 18, 2023, at 1pm at Clare City Hall, 202 W. Fifth Street, Clare, Michigan. The purpose of this meeting is to correct the assessment roll as allowed by MCL 211.53b. This meeting is subject to the Open Meetings Act. *The City of Clare is an equal opportunity provider and employer.*



Sharon Frischman, MMAO, AI-GRS
City Assessor

