

AGENDA REPORT

TO: Mayor Pat Humphrey & Clare City Commissioners
FROM: Diane Lyon, City Clerk
DATE: May 16, 2024
RE: *Communications

For the Agenda of May 20, 2024

***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 this 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 20, 2024.**

FOIA Requests & Responses: Emback Huffman; Hall & Bolles.

EGLE Announcement: The Michigan Department of Environment, Great Lakes, and Energy announced that the City of Clare is the recipient of a \$600K Grant for design engineering to build a new spillway for the Lake Shamrock Dam.

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

- Tom Quick announced his intention to retire, thus the city has posted a notice for his position.

Attachments. As noted above.



THOMAS W. HALL, JR.
thall@hallandbolles.com

BECKY J. BOLLES
bbolles@hallandbolles.com

HALL & BOLLES, P.C. • ATTORNEYS AT LAW

300 South University Avenue • Mt. Pleasant, MI 48858 • (989) 773-0004 • Fax (989) 772-1512

www.hallandbolles.com

May 1, 2024

Clare Police Department
207 W. 5th St.
Clare, MI 48617

Re: Rebecca L. Embach, d/o/b 01/13/1985
Mark E. Embach, d/o/b 08/08/1983
Harley Huffman, d/o/b 06/25/1991

Dear Sir or Madam:

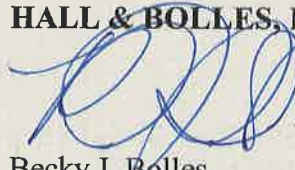
Pursuant to the Michigan Freedom of Information Act, MCL 15.231, et seq, the purpose of this letter is to request a copy of any and all interactions and/or police reports naming Rebecca L. Embach, d/o/b 01/13/85, Mark E. Embach, d/o/b 08/08/83 and/or Harley Huffman, d/o/b 06/25/91 within them beginning January 1, 2021 through the present.

Please forward a copy of these records to the office of the undersigned at your earliest convenience.

If you have any questions regarding the foregoing, please feel free to call.

Very truly yours,

HALL & BOLLES, P.C.


Becky J. Bolles

BJB/blm

cc: Mr. Embach
Ms. Embach



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

May 7, 2024

DENIAL OF REQUEST FOR PUBLIC RECORD

Hall & Bolles, PC
300 S University Ave
Mt. Pleasant MI 48858

Tel: (989) 773-0004
Fax: (989) 772-1512

RE: **FOIA Request #2024-037 RE: Rebecca L. Embach, Mark E. Embach, and Harley Huffman-any and all police reports and interactions involving the above named persons from 1/1/21-current.**

Your request as described is denied because it does not exist under information.

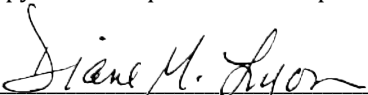
NOTICE: This correspondence constitutes a certification that the public records, as indicated, do not exist. You have the right to appeal this denial to the City Manager in writing that specifically states the word "APPEAL" and indicates the reason or reasons for reversal of the denial, or seek judicial review in the Circuit Court within 180 days of a final determination to deny a request. If the Court determines a public record is not exempt from disclosure, it shall order its release or production. The burden of proof in Court is on the public body. If the Court determines that the public body has been arbitrary and capricious in not disclosing a public record, it may award, in addition to actual and compensatory damages, punitive damages not exceeding \$500.00

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.


FOIA Coordinator or Authorized Representative

May 7, 2024
Date Denial Approved

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FOR IMMEDIATE RELEASE

May 6, 2024

Jeff Johnston, EGLE Public Information Officer, JohnstonJ14@Michigan.gov, 517-231-9304

Twenty-two Michigan dams get safety upgrade funding through risk-reduction program

EGLE announces \$14.1 million allocated for maintenance, removals, reconstruction

Twenty-two Michigan dams will receive grant funding to help reduce risks and protect residents. The funding is through the Dam Risk Reduction Grant Program (DRRGP) as authorized by the Michigan Legislature.

This grant program aims to provide private owners with resources for proper management of existing dams and reduce the overall risk of dam failure in Michigan. Some \$14.1 million is authorized for work ranging from dam removals to critical maintenance.

Additional funding opportunities will be made available for dam risk reduction and will be announced publicly when they are ready for applicants.

The Michigan Department of Environment, Great Lakes, and Energy's (EGLE) [Dam Safety Unit](#) announced the following grant awards for the 2023-2024 grant funding cycle.

- **Allegan, \$1.8 million:**
 - **\$1 million:** To the city of Allegan for repair of Allegan City Dam, a high-hazard dam in poor condition. A leading contributor is the deteriorating condition of the stop logs. Funds from the DRRGP are recommended to be used to remove and replace the stop logs in the spillway. Replacement of the stop logs will extend the life of the dam and is important in the mitigation of contamination transportation from the Kalamazoo River Superfund site.
 - **\$500,000:** To the Michigan Department of Natural Resources (DNR), Wildlife Division, for a feasibility study, design, engineering, and permitting to remove the Swan Creek Dam, restore floodplain connectivity of the Koopman Marsh, and modify the Highbanks Dam to restore floodplain connectivity and prevent sea lamprey passage.

- **\$300,000:** To the DNR, Wildlife Division, for the repair of Trowbridge Dam. This includes stability analysis, riprap repairs, void repairs, etc. As a high-hazard dam in poor condition, these repairs are needed to stabilize the site until the Superfund project manages the contamination concerns that the dam site presents.
- **Barryton, \$300,000:** To the village of Barryton for repairs to Barryton Dam on the Chippewa River. The dam has continued to deteriorate, and crucial components are nearing the end of their useful life. The condition is at a point where long-term benefits can be achieved for a modest cost. DRRGP funds will support repairs to the radial and slide gates, repair failing concrete, line corroding culverts, and stabilize the embankment.
- **Battle Creek, \$200,000:** To the city of Battle Creek to support Monroe Street Dam removal activities spearheaded by the U.S. Army Corps of Engineers. The corps has proposed to remove the concrete-lined Kalamazoo River channel downstream of the dam. This project proposes a feasibility study, design, and pre-engineering to include river naturalization of the concrete-lined channel, dam removal, and other considerations.
- **Bellaire, \$450,000:** To the Antrim County Drain Commissioner to investigate the condition of the Bellaire Dam on the Intermediate River. The study will identify, analyze, and assess risk in order to inform risk-reduction measures. Based on the findings of field investigations and engineering analyses, remediation measures will be developed to address deficiencies and bring the dam into compliance.
- **Boyne Falls, \$185,000:** To the village of Boyne Falls for a feasibility study to determine future management of the Boyne Falls Dam on the South Branch Boyne River. The increasing cost of maintaining the dam has become a burden, and the feasibility study will explore available options, including eventual removal of the dam.
- **Clare, \$600,000:** To the city of Clare for design engineering to build a new spillway for the Lake Shamrock Dam (high hazard, poor condition). This includes hydrologic/hydraulic modeling and analysis, structural evaluation, and geotechnical exploration. The analysis is needed to develop a safe and effective design for abandoning the dam, as well as structural design necessary for the new primary spillway.
- **Dundee, \$202,000:** To Holcim US Inc. to remove the Macon Creek Dam to proactively eliminate the risk of failure due to deteriorating conditions. Direct deliverables from this project include a topographic and bathymetric survey of the dam, its impoundment, and the potential upstream drawdown impact area, which will be used as an existing conditions basemap for design plans.
- **Elsie, \$1.2 million:** To Duplain Township for the removal of Elsie Dam on the Maple River, which breached on Aug. 18, 2023. As a result of the failure, the township has acted to remove the remaining structure to prevent further dam failure and release of sediment downstream. Funds will complete the design of the removal and support construction activities.
- **Goodrich, \$180,000:** To the village of Goodrich for a feasibility study for the Goodrich Dam on Kearsley Creek. The dam has become a financial burden for the

village due to its deteriorating condition and concern for long-term management. The study is proposed to investigate options. DRRGP funds would provide a final deliverable of three alternatives: repair, replace, or remove.

- **Hesperia, \$270,000:** To the village of Hesperia to investigate the current condition of the Hesperia Dam on the White River. The study will identify, analyze, and assess risks. Initial tasks will focus on data collection through desktop exercises and field data collection. Remediation measures will be developed to address deficiencies and bring the dams into compliance with safety requirements.
- **Hopkins, \$723,600:** To Sandy Pines Wilderness for rehabilitation of the Monterey Lake Dam. The high-hazard dam is typically in satisfactory condition, but a significant piping issue was identified in late 2023. The proposal for proactive action to prevent further damage aims to replace the corrugated pipe through the dam, repair the upstream embankment due to stability concerns, and replace the toe drain.
- **Manistique, \$1.1 million:** To the Great Lakes Fishery Commission for management of Manistique Papers Dam. The aging hydroelectric dam is classified as high hazard, poor condition and is slated to be removed. DRRGP funds would support construction actions needed before full removal of the dam, including rerouting a water supply line, a crucial part of the current dam and the last hurdle before complete removal.
- **Newaygo, \$384,716:** To the Muskegon River Watershed Assembly for the removal of Rowe No. 1 Dam on Penoyer Creek, a Muskegon River tributary. The low-hazard dam is nonetheless in poor condition and poses risk to environmental and human health. This project proposes to design, engineer, and remove the structure. Removal will greatly help restore a coldwater fishery.
- **Nunda Township, \$250,000:** To Huron Pines to address safety issues at the Cornwall Creek Dam (high hazard, poor condition). An old riser structure and outlet culvert will be replaced with a new lake level control structure, and minor seepage on the embankment will be addressed. DRRGP funds will support construction costs of the dam renovation.
- **Rose City, \$1,707,759:** To Huron Pines to support the engineering, design, permitting, and initial construction phases of the removal of Sanback Dam, a significant hazard, unsatisfactory dam on Houghton Creek. This will allow progress toward stream restoration along with demolition to ensure the drawdown and succession to natural channel protects human and ecological factors.
- **Stanton Township, \$278,500:** To Stanton Township to return the Salmon-Trout River to a free-flowing condition by breaching and decommissioning the timber crib and rock dam and modifying the steel dam to allow for a more connected river system. Grant funds are recommended to complete the design phase of the project.
- **Traverse City, \$1 million:** To city government to replace the high-hazard, fair-to-poor-condition Union Street Dam with an enhanced structure that maintains a barrier to invasive species, allows for selective fish passage, and provides improved hydraulic conveyance. Union Street Dam is the last remaining dam on the Boardman River. DRRGP funds will support construction on the new structure and help connect the river system.

- **White Cloud, \$68,425:** To the city of White Cloud to support the completion of a dam disposition feasibility study for White Cloud Dam. This study will help the city make informed decisions on the future of the high-hazard dam on the White River and will consider dam removal situations.
- **Yankee Springs Township, \$1.6 million:** To the DNR, Parks and Recreation Division, for removal of the significant-hazard Hall Lake Dam. The dam is considered to be in poor condition due to several identified deficiencies. Project deliverables include removing all water control structures, placing a properly sized culvert to restore local hydrology, and restoring the area with native vegetation.
- **Ypsilanti, \$1.6 million:** To the city of Ypsilanti for continued support for removal of the high-hazard, poor-condition Peninsular Paper Dam. Removal will restore this section of the Huron River to a free-flowing waterway and remove the threat to human and environmental health due to flooding.

Overall, the Dam Safety Unit is excited to be able to connect with and provide dam owners and operators the necessary resources for proper management of dams in Michigan.

The Dam Risk Reduction Grant Program was created in 2022, and the demand for grant dollars to address aging dam infrastructure has only grown.

In total, the Dam Safety Unit oversees the regulation of over 1,000 structures under Part 307, Inland Lake Levels; and Part 315, Dam Safety, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. The Dam Safety Unit continues to grow to meet the needs of dam owners and operators, recently expanding to seven full-time engineers to offer statewide coverage.

For additional information about the DRRGP or general information on dams and dam management in Michigan, visit the [Dam Safety Unit Web page](#).

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To request this material in an alternative format, contact EGLE-Accessibility@Michigan.gov or call 800-662-9278.

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Assistant Superintendent Water & Wastewater Treatment Plant

The City of Clare is accepting resumes for an Assistant Water & Wastewater Superintendent.

This is an FT position with health, life, & disability insurance, and retirement benefits. The minimum qualifications are a Class C Wastewater license and a Class D3 Water license with the ability to obtain D2 and B licenses within 2 years; and an associate degree of applied science in biology, chemistry, water technology, or a related field. Previous supervisory experience is desired. A cover letter, a resume outlining experience, and at least three professional references can be sent to Dale Clark, WWT Superintendent, at dclark@cityofclare.gov. This position is open until filled. The City of Clare is an equal-opportunity employer.