

AGENDA REPORT

TO: Mayor Pat Humphrey & Clare City Commissioners
FROM: Diane Lyon, City Clerk
DATE: July 11, 2024
RE: *Communications

For the Agenda of July 15, 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 July 15, 2024.**

FOIA Requests & Responses: Theresa Dowd, The Warren Group, Rock Merrill.

July Food Bank Drive Thru Distribution: The Greater Lansing Area Food Bank has provided a list of Clare County Drive Thru Distribution dates and sites.

Official Call for the Primary Election: We have received official notice from the Secretary of State that an August 6, 2024 State Primary Election will be held in Michigan.

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

•July Board of Review Public Notice

Attachments. As noted above.



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

July 1, 2024

Christina Doucette
The Warren Group
2 Corporate Way, Ste 250
Peabody, MA 01960

P: 617-896-5379
E: cdoucette@thewarrengroup.com

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

Your request for public record(s) under the Michigan Freedom of Information Act (“FOIA”), dated January 11, 2023, for the following records is acknowledged: **Summer 2024 Tax Roll in the BSA format. A fee schedule is attached for your records.**

Your request for information is hereby **Granted.**

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 M. Lyon
FOIA Coordinator & City Clerk

The City of Clare is an Equal Opportunity Provider and Employer



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



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

REQUEST FOR PUBLIC RECORD
City of Clare, Michigan

NAME OF REQUESTOR: Theresa Dawd (L.) DATE FILED: 7-2-2024 (Tuesday)
COMPANY SELF REQUEST FORM: WRITTEN ELECTRONIC
MAILING ADDRESS: 196 W. NORWAY APT. #1 HARRISON, MI 48625
DAYTIME PHONE NUMBER: 1-989-418-6666 EMAIL ADDRESS: _____

I REQUEST TO HAVE THE PUBLIC RECORD(S) SUPPLIED TO ME IN THE FOLLOWING FORM:

INSPECTION: _____ COPIES: 2

NAME AND DESCRIPTION OF THE MATERIAL, INFORMATION, DOCUMENTS, ETC. IDENTIFYING THE PUBLIC RECORD(S) DESIRED. PLEASE BE VERY SPECIFIC.

ANY police report from officer Morrow answering 911
* call to Pettit Park Bathroom morning of June 20th
between 12-2 AM

I understand a public body must respond to my request with five (5) business days after it is received and is allowed one (1) additional day to respond if the request is received by email, fax or other electronic means. The public body must grant or deny all or a portion of my request, or issue a notice extending for ten (10) business days, the period in which the public body must respond to my request. In place of these deadlines, I agree to allow the public body a reasonable time to process my request. I further understand that if I withdraw my request after the City has begun work on the request, I will be responsible for all costs incurred by the City of Clare up until the point of withdrawal.

You may access the City of Clare's Freedom of Information Act Procedures and Guidelines and summary at www.cityofclare.org/FOIA

Theresa Dawd
SIGNATURE

7-2-2024
DATE

OFFICE USE ONLY DATE RECEIVED: _____ RECEIVED BY: _____

FINAL ACCOUNT:
COST: IN ADVANCE (OVER \$50.00) MAILING COSTS _____
ESTIMATE _____ LABOR _____
- 50% _____ COPIES @ . _____ per page _____
AMOUNT DUE \$ _____ TOTAL _____
DATE AVAILABLE: _____ (-) DEPOSIT _____
COMPLETED BY: _____ BALANCE DUE \$ _____

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

July 8, 2024

DENIAL OF REQUEST FOR PUBLIC RECORD

Theresa Dowd
196 W. Norway Apt #1
Harrison MI 48625

Tel: (989) 418-6616

RE: FOIA Request #2024-055 via email dated 07/02/2024. ANY POLICE REPORT FROM OFFICER MORROW ANSWERING 911 CALL TO PETTIT PARK BATHROOM MORNING OF JUNE 20th BETWEEN 12-2 AM.

X Your request as described is denied because it does not exist under information. You may want to contact the Clare County Sheriff's Department regarding 911 call logs.

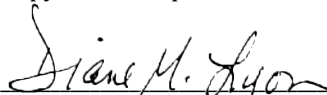
NOTICE: This correspondence constitutes a certification that the public records, as indicated, do not exist. You have the right to appeal this denial to the City Manager in writing that specifically states the word "APPEAL" and indicates the reason or reasons for reversal of the denial, or seek judicial 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.



Diane M. Lyon, FOIA Coordinator

July 8, 2024
Date Denial Approved

The City of Clare is an Equal Opportunity Provider and Employer



Bay City

Jason P. Gower
Kimberly S. King
Benjamin M. Bragiel
Guy M. Cotter

GOWER LAW PLC

Attorneys at Law

Grand Rapids

Jared I. Shouey

514 E. Midland Street, Bay City, MI 48706
Phone: 989-894-0100 ■ Fax: 989-894-0200
Email: benjamin@gowerlaw.com

July 2, 2024

FOIA Coordinator
Clare Police Department
207 W. 5th Street
Clare, MI 48617

Re: Freedom of Information Act Request

To Whom It May Concern:

Under the provisions of the Freedom of Information Act, MCL 15.231, *et seq.*, I am requesting the following information:

1. All traffic signal surveillance for the intersection of W. 5th Street and N. Mcewan Street, on or about June 29, 2024, at or about 21:45 hrs, depicting the crash as reported in Officer Jared Stotzel's report number #24 383.

As to claims of exemption from disclosure under FOIA: the burden of proof is on the party claiming the exemption; the exemption must be narrowly interpreted; exempt material must be separated from non-exempt material; detailed explanations must be supplied describing the materials withheld; and justification must be more than conclusory, i.e., the agency must give factually based reasons for not releasing particular kinds of documents.

If the documents I have requested are not disclosable in their entirety, I request that you release all nonexempt portions of the recordings that may be segregated and all parts of the recordings that can be rendered disclosable by redaction.

If the video recordings I have requested are not disclosable in their entirety, I request that you release all nonexempt portions of the recordings that may be segregated and all parts of the recordings that can be rendered disclosable by redaction.

As to any portion of the recordings that you withhold, please state with specificity the legal and factual basis for withholding such portion.

If this request is denied or incompletely answered and a court subsequently orders disclosure of all or a portion of the requested records, you may be assessed attorneys' fees and damages ordered to be paid to the requestor.

I appreciate your cooperation and will expect your response within five (5) days as required by the act. Please forward copies of these records to my address atop this letter. I understand there is a cost pursuant to statute for production of these items, and agree to pay the same upon receipt of your invoice. If you need further explanation of the nature or scope of this request, you may contact me at the telephone number atop this letter.

Sincerely yours,
GOWER LAW, PLC

A handwritten signature in blue ink that reads "Benjamin M. Bragiel". The signature is written in a cursive style with a large, looping flourish at the end.

Benjamin M. Bragiel



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

July 9, 2024

Mr. Benjamin Bragiel
Gower Law
514 E. Midland St.
Bay City MI 48706

989-894-0100
benjamin@gowerlaw.com

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

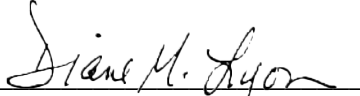
Your request for public record(s) under the Michigan Freedom of Information Act (“FOIA”), dated July 2, 2024, and received July 8, 2024 for records is acknowledged and your request is hereby **Granted** for the following information: All traffic signal surveillance for the intersection of W. 5th Street and N. McEwan Street, on or about June 29, 2024, at or about 21:45 hrs, depicting the crash as reported in Officer Jared Stotzel’s report number 24 383.

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 M. Lyon, City Clerk

County: Keep original and provide copy of both sides, along with Public Summary, to Requestor at no charge.

Clare County
225 W. Main Street
P.O. Box 438
Harrison, MI 48625
Phone: 989-539-2510

Request Form
Note: Requestors are not required to use this form. The County may complete one for recordkeeping if not used

FOIA Request for Public Records

Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.: 1 Date Received: 7/10/24 Check if received via: Email Fax Other Electronic Method

Name: ROCK MERRILL OR Phone: 989-371-1342

Firm/Organization: SELF - Personal Fax: 989-371-1326

Street: 225 MARY ST APT: 6 Email: _____

City: CLARE State: MI Zip: 48617

(Please Print or Type)

Date delivered to junk/spam folder: _____
Date discovered in junk/spam folder: _____

- Request for: Copy Certified copy Record inspection Subscription to record issued on regular basis
- Delivery Method: Will pick up Will make own copies onsite Mail to address above Email to address above
- Deliver on digital media provided by the County: _____

Note: The County is not required to provide records in a digital format or on digital media if the County does not already have the technological capability to do so.

Describe the public record(s) as specifically as possible. You may use this form or attach additional sheets:

POLICE REPORT - WANTED

Incident involving incident at ROSEWOOD MANOR ON July 7-24

225 MARY ST CLARE, MI 48617

Consent to Non-Statutory Extension of County's Response Time
I have requested a copy of records or a subscription to records or the opportunity to inspect records, pursuant to the Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq. I understand that the County must respond to this request within five (5) business days after receiving it, and that response may include taking a 10-business day extension. However, I hereby agree and stipulate to extend the County's response time for this request until: 7-19-24 (month, day, year).

Requestor's Signature: Rock Merrill

Date: 7-9-24

(Complete both sides)

DRIVE-THRU MOBILE FOOD DISTRIBUTIONS

Serving the mid-Michigan counties of Clare, Clinton
Eaton, Gratiot, Ingham, Isabella and Shilawassee



July 2024

Wed., July 3 (5:30 – 7:30 p.m.)

Tabernacle of David
2645 W. Holmes Rd.
Lansing, MI 48911

Tue., July 9 (3 – 5 p.m.)

East Washington Church
8051 S. Crapo Rd.
Ashley, MI 48806

Tue., July 9 (3 – 5 p.m.)

Baker College Welcome Center
1309 S. Shilawassee St.
Owosso, MI 48867

Wed., July 10 (1 – 2:30 p.m.)

Bethlehem Lutheran Church
549 E. Mt. Hope Ave.
Lansing, MI 48910

Thu., July 11 (8 – 9 a.m.)

Bath Community Center
5959 Park Lake Rd.
Bath, MI 48808

Fri., July 12 (10:30 a.m. – 12:30 p.m.)

Leota Community Church
1946 Muskegon Rd.
Harrison, MI 48625

Fri., July 12 (Noon – 2 p.m.)

Robinson Memorial Church
509 Charles St.
Lansing, MI 48912

Sat., July 13 (9 – 11 a.m.)

Olivet Baptist Church
5455 Willoughby Rd.
Lansing, MI 48911

Sat., July 13 (10 a.m. – Noon)

Clare County Fairgrounds
418 Fairlane St.
Harrison, MI 48625

Tue., July 16 (4 – 6 p.m.)

Immanuel Community Reformed
3200 Delta River Dr.
Lansing, MI 48906

Thu., July 18 (2:30 – 3:30 p.m.)

New Mt. Calvary Baptist Church
3800 W. Miller Rd.
Lansing, MI 48911

Sat., July 20 (9 – 11 a.m.)

City of Lansing @
Union Missionary Baptist Church
500 S. Martin Luther King, Jr. Blvd.
Lansing, MI 48915

Wed., July 24 (4 – 6 p.m.)

Redeemer United Methodist Church
13980 Schavey Rd.
Dewitt, MI 48820

Thu., July 25 (3:30 – 5 p.m.)

University Lutheran Church
1020 S. Harrison Rd.
East Lansing, MI 48823

Fri., July 26 (10:30 a.m. – Noon)

Mid-Michigan Community College
1375 S. Clare Ave.
Harrison, MI 48625

Sat., July 27 (9 – 11 a.m.)

Alumni Stadium Parking Lot
805 Greyhound Dr.
Eaton Rapids, MI 48827

Sat., July 27 (9 – 11 a.m.)

St. Mary & St. Joseph Parish
700 Columbia Dr.
Durand, MI 48429

Tue., July 30 (2 – 4 p.m.)

Community Baptist Church
7832 W. Mt. Hope Hwy.
Grand Ledge, MI 48837

Wed., July 31 (3 – 5 p.m.)

St. Louis Church of Christ
1075 W. Monroe Rd.
St. Louis, MI 48880

Wed., July 31 (4 – 6 p.m.)

Greater Lansing Food Bank
5600 Food Ct.
Bath, MI 48808



NOTE: Distributions may end sooner than published time if food runs out.

For more information, scan the QR code, visit GLFoodBank.org or call 517.853.7800

This institution is an equal opportunity provider.



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

June 7, 2024

TO ALL COUNTY CLERKS:

You are hereby notified that a Primary Election will be held in all voting precincts of this state on Tuesday, August 6, 2024, at which time candidates of the Democratic Party and Republican Party seeking nomination to the following partisan offices are to be voted for in your county: U.S. Senator, U.S. Representative in Congress, State Representative and such other partisan offices that may by law be required to be nominated at the primary. Candidates seeking nomination to the following nonpartisan offices are also to be voted for in designated counties at the August 6, 2024 Primary Election: Appeals Court Judge, Circuit Court Judge, Probate Court Judge, District Court Judge and such other nonpartisan offices that may by law be required to be nominated at the primary.

Please be further notified that delegates to the Democratic Party and Republican Party county conventions will be elected at the August 6, 2024 Primary Election.

In accordance with the provisions of Michigan election law, MCL 168.552(14), I hereby certify that the attached list contains the names and addresses of the candidates who have been certified by the Board of State Canvassers and the Secretary of State as having qualified as candidates for the August 6, 2024 Primary Election. Candidates who have withdrawn or did not qualify for ballot access have been removed from the list.

In nonpartisan judicial offices where there are not more than twice the number of candidates as there are positions to fill, the candidates for the offices are certified as the nominees for the office. As to these offices, there shall be no primary election and the office shall not appear on the primary ballot.

This notice shall be sent to all city and township clerks in your county as provided under Michigan election law, MCL 168.652.



IN WITNESS WHEREOF, I have affixed my signature and the Great Seal of the State, at Lansing, this 7th day of June, two thousand and twenty-four.

Jocelyn Benson
Secretary of State

PUBLIC NOTICE
2024 JULY BOARD OF REVIEW

The City of Clare July Board of Review will hold a meeting on Tuesday, July 16, 2024, at 1:00 p.m. at Clare City Hall, 202 W Fifth Street, Clare, MI 48617. The purpose of this meeting is to correct a clerical error or a mutual mistake of fact relative to the correct assessment figures, the rate of taxation, or the mathematical computation relating to the assessment of summer property taxes. The clerical error or the mutual mistake of fact shall be verified by the local assessing officer and approved by the board of review. This institution is an equal opportunity provider and employer and this meeting is subject to the Open Meetings Act.

Sharon Frischman, MMAO, AI-GRS
City Assessor

