

AGENDA REPORT

TO: Mayor Pat Humphrey & Clare City Commissioners
FROM: Diane Lyon, City Clerk
DATE: November 14, 2024
RE: *Communications

For the Agenda of November 18, 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 November 18, 2024.**

FOIA Requests & Responses: Sean Adams, Stephanie Beltinck, Douglas Repen, Pete Warren, Steve Janson.

Clare County Mobile Food Distribution-December 7, 2024: This month's Clare County Mobile Food Distribution site will be the Clare County Transit Building, 1473 Transportation Drive, Harrison, MI 48625. Registration starts at 9:00 am, on December 7, 2024.

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

- December Board of Review, December 10, 2024, 1:00 p.m.

Attachments. As noted above.

Diane Lyon

Subject: FW: City of Clare FOIA Request

From: Sean Adams <seanadamsedd@outlook.com>
Sent: Friday, November 1, 2024 9:58 AM
To: Diane Lyon <DLyon@cityofclare.gov>
Subject: City of Clare FOIA Request

Diane,

Under the Michigan Freedom of Information Act, § 15.231 et seq, I request the following:

Any copies of any residential and/or commercial solid waste, recycling, and/or yard waste collection and/or disposal/processing contracts and/or agreements that your community has entered in the past seven (7) years.

As you know, the law allows for five (5) business days to respond.

As this is a matter of public policy, I request that the fees for duplication and processing be waived. If that is not possible, please inform me if costs exceed \$5.00.

Please deliver the information in a digital format to my email listed below.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available under the law.

If you have any questions, please do not hesitate to contact me.

Thank you,



Sean S. Adams, EdD
520 Heyser St.
Jackson, MI 49203
(616) 902-9089
seanadamsedd@outlook.com



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

November 3, 2024

Sean S. Adams, EdD
520 Heyser St.
Jackson MI 49203

(616) 902-9089
seanadamsedd@outlook.com

RE: 2024-095 **Freedom of Information Act (“FOIA”) Request Response**

Your request for public record(s) under the Michigan Freedom of Information Act (“FOIA”), dated November 1, 2024, and received November 3, 2024 for records is acknowledged and your request is hereby **Granted** for the following information: *Any copies of any residential and/or commercial solid waste, recycling, and/or yard waste collection and/or disposal/processing contracts and/or agreements that your community has entered in the past seven (7) years.*

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



Diane Lyon

Subject: FW: FOIA City of Clare

-----Original Message-----

From: Steph Beltinck <stephbeltinck@gmail.com>
Sent: Tuesday, November 5, 2024 6:41 PM
To: Diane Lyon <DLyon@cityofclare.gov>
Subject: Re: FOIA City of Clare

Isabella County MI City of Clare clerk,

I know you are very busy, but I'm requesting some election season information.

1) I'm requesting a total count of ballots that may have been scanned into the tabulator on Election Day, but had to go through an adjudication process (viewed by 2 witnesses to declare intentions of voters ballot marking), and also a total count of ballots that were cast in Union precinct 2 that will be declared for this precinct.

2) I would like to also request any communications from Jocelyn Benson or any officials from the MI BOE during early voting & immediately after Election Day. I'm specifically interested in any communications regarding election equipment failures or glitches, and any remedies that are being proposed for any issues, or if any "updates to software" were commanded of your precinct election equipment after public accuracy testing, (including EPB) and before Election Day voting totals were submitted to the County Clerks office.

Please let me know if there are any fees for the collection of this information. Since this is public information, my hope is that all fees can be waved. I can either pick up the report at your office, or feel free to email me the information.

Thank you for your time,

Steph Beltinck
1408 E High st
Mount Pleasant MI 48858
Stephbeltinck@gmail.com

> On Nov 5, 2024, at 4:19 PM, Steph Beltinck <stephbeltinck@gmail.com> wrote:

>

> Isabella County MI City of Clare clerk,

>

> I know you are very busy, but I'm requesting some election season information.

>

> 1) I'm requesting a total count of ballots that may have been scanned into the tabulator on Election Day, but had to go through an adjudication process (viewed by 2 witnesses to declare intentions of voters ballot marking), and also a total count of ballots that were cast in City of Clare jurisdiction that will be declared for this precinct.

>

> 2) I would like to also request any communications from Jocelyn Benson or any officials from the MI BOE during early voting & immediately after Election Day. I'm specifically interested in any communications regarding election equipment failures or glitches, and any remedies that are being proposed for any issues, or if any "updates to software" were commanded of your precinct election equipment after public accuracy testing, (including EPB) and before Election Day voting totals were submitted to the County Clerks office.

>

> Please let me know if there are any fees for the collection of this information. Since this is public information, my hope is that all fees can be waved. I can either pick up the report at your office, or feel free to email me the information.

>

> Thank you for your time,

>

> Steph Beltinck

> 1408 E High st

> Mount Pleasant MI 48858

> Stephbeltinck@gmail.com



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

November 12, 2024

Steph Beltinck
1408 E. High St.
Mt. Pleasant MI 48858

Stephbeltinck@gmail.com

RE: FOIA Request #2024-098

Your request for public record(s) under the Michigan Freedom of Information Act ("FOIA"), dated November 5, 2024, and received in this office on November 6, 2024, is hereby granted in part. A fee schedule is attached for your review and authorization to proceed with fulfilling your request.

1) I'm requesting a total count of ballots that may have been scanned into the tabulator on Election Day, but had to go through an adjudication process (viewed by 2 witnesses to declare intentions of voters ballot marking), and also a total count of ballots that were cast in Union precinct 2 that will be declared for this precinct. **THE INFORMATION REQUESTED DOES NOT EXIST.**

2) I would like to also request any communications from Jocelyn Benson or any officials from the MI BOE during early voting & immediately after Election Day. I'm specifically interested in any communications regarding election equipment failures or glitches, and any remedies that are being proposed for any issues, or if any "updates to software" were commanded of your precinct election equipment after public accuracy testing, (including EPB) and before Election Day voting totals were submitted to the County Clerks office.

If applicable to your specific request, information that is exempt under MCL 15.243 Section 13.1(a), (1)(y), (b)(iii), (d) and or (n), MCL 15.243(z), and MCL 168.509gg will be redacted.

To process your request, the City of Clare has provided an estimate of fees (attached) to provide the information. The City estimates a FOIA processing fee of \$33.01 to search for, retrieve, review, separate, examine material, and redact the requested records.

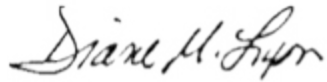
The City of Clare's FOIA Procedures and Guidelines and Summary are available for review on our website at www.cityofclare.org. A copy of this request will be kept on file for no less than one (1) year.

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 the reversal of the denial. Your appeal should be sent to the City of Clare – City Manager, 202 West Fifth Street, Clare, MI 48617-1490.

Sincerely,

A handwritten signature in cursive script that reads "Diane M. Lyon".

Diane M. Lyon
Clare City Clerk & FOIA Coordinator

Diane Lyon

Subject: FW: New submission from Request for Examination or Copy of Records (FOIA)

From: FOIA@cityofclare.gov <FOIA@cityofclare.gov>

Sent: Thursday, November 7, 2024 12:00 PM

To: FOIA <FOIA@cityofclare.gov>

Subject: New submission from Request for Examination or Copy of Records (FOIA)

Requestor Information

Name

Douglas Repen

Birth Year

1,973

Street Address

888 W. Big Beaver Road, Ste. 1490

City

Troy

State

MI

Zip Code

48084

Daytime Phone:

(248) 924-6660

Email

douglas.repen@parsons.com

Request Information

Date/Time of Incident:

N/A

Type of Incident:

N/A

Location of Incident:

N/A

I am requesting the following record(s):

Documentation of municipal water connections for three properties: 10197, 10207, and 10295 South Clare Avenue. Electronic copies provided via email preferred. Thank you

I am requesting the above record(s) for:

Diane Lyon

Subject: FW: New submission from Request for Examination or Copy of Records (FOIA)

From: FOIA@cityofclare.gov <FOIA@cityofclare.gov>

Sent: Tuesday, November 12, 2024 4:26 PM

To: FOIA <FOIA@cityofclare.gov>

Subject: New submission from Request for Examination or Copy of Records (FOIA)

Requestor Information

Name

Douglas Repen

Birth Year

1,973

Street Address

888 W. Big Beaver Road, Suite 1490

City

Troy

State

MI

Zip Code

48084

Daytime Phone:

(248) 924-6660

Email

douglas.repen@parsons.com

Request Information

Date/Time of Incident:

NA

Type of Incident:

NA

Location of Incident:

NA

I am requesting the following record(s):

Please rescind previous FOIA request for water connection records.

I am requesting the above record(s) for:

Copying

Diane Lyon

From: pete@solarbrokersus.com
Sent: Friday, November 8, 2024 3:42 PM
To: Diane Lyon
Subject: FOIA-----Residential Solar/Electrical permits

Hello,

I am writing to request access to public records for electrical/building/zoning applications for permits for solar energy within your jurisdiction.

Specifically, I am interested in obtaining the following information:

- Copies of all applications/permits for electrical permits relating to solar installation on residential homes within the specified timeframe of Oct 1 2024 -present

If possible, please provide the records in electronic format and email to pete@solarbrokersus.com expedite the process.

Thank you for your attention to this matter.

Sincerely,

Pete Warren
Pete@solarbrokersus.com

Thank you!

Please add me to your Monthly Report-Pete

Diane Lyon

Subject: FW: New submission from Request for Examination or Copy of Records (FOIA)

From: FOIA@cityofclare.gov <FOIA@cityofclare.gov>
Sent: Saturday, November 2, 2024 4:43 PM
To: FOIA <FOIA@cityofclare.gov>
Subject: New submission from Request for Examination or Copy of Records (FOIA)

Requestor Information	
Name	Steve Janson
Birth Year	1,981
Street Address	6032 Douglas Drive
City	Madison
State	Ohio
Zip Code	44057
Daytime Phone:	(440) 381-3646
Email	steve@midlandea.com
Request Information	
Date/Time of Incident:	N/A
Type of Incident:	N/A
Location of Incident:	See below
I am requesting the following record(s):	I am conducting a Phase I Environmental Assessment on the following property, and am requesting the following information pertaining to: under- or above-ground storage tanks; any hazardous waste issues (permitting, tank removal, spillage, or

contamination); fire code violations; list of building permits with date issued and any violations; dates and descriptions of any structures built, remodeled, or removed from said property; and the date of last inspection of said property. Thank you for your assistance with obtaining the required information for this assessment.

Known Address: Parcel 015-026-300-21 on Clare Avenue (south adjoining to 10461 Clare Avenue), Clare, MI 48617
Parcel number: 015-026-300-21

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



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

November 4, 2024

DENIAL OF REQUEST FOR PUBLIC RECORD

Steve Janson
6032 Douglas Dr.
Madison OH 44057

(440) 381-3646
steve@midlandea.com

RE: **FOIA Request #2024-096 Parcel ID 015-026-300-21 Environmental Response Records:** under- or above-ground storage tanks; any hazardous waste issues (permitting, tank removal, spillage, or contamination); fire code violations; list of building permits with date issued and any violations; dates and descriptions of any structures built, remodeled, or removed from said property; and the date of last inspection of said property.

X Your request as described is denied because it does not exist under information. This parcel is not located within the City of Clare therefore the only department that could have records is the City of Clare Fire Department. The Fire Department has no records regarding that parcel. A schedule of fees for the search and review of records is attached.

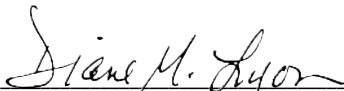
NOTICE: This correspondence constitutes a certification that the public records, as indicated, do not exist. You have the right to appeal this denial to the City Manager in writing that specifically states the word "APPEAL" and indicates the reason or reasons for reversal of the denial, or seek judicial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

November 4, 2024
Date Denial Approved

The City of Clare is an Equal Opportunity Provider and Employer



Free Drive-Through Mobile Food Distribution

Greater Lansing Food Bank- Clare County

Saturday - December 7, 2024

Registration: Starts at 9:00 a.m.


Distribution: 10:00 a.m. - 11:30 a.m.

Clare County Transit Building

1473 Transportation Dr., Harrison MI 48625



Please Note:

- Remember Line-up begins at 7:00 AM - NOT BEFORE!
- Don't forget your registration tag! 
- Anyone in need of food can attend a GLFB mobile distribution.
- You do not need to provide identification or proof of residency to receive food.
- If you are unable to attend a distribution, someone else may pick up food on your behalf.
- Drivers and passengers are required to stay in vehicles at all times. Restrooms are not available.
- Food will be placed in your trunk or backseat.
- If you are feeling sick, please stay home and arrange for someone to pick up food for you.
- Volunteers are always appreciated.

For more information contact:

Clare County Food Facebook page or

Greater Lansing Food Bank at:

www.greaterlansingfoodbank.org,

GLFoodBank1 (on Facebook) or call 517/908-3680

The Greater Lansing Food Bank - Clare County Food
is an equal opportunity provider





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

PUBLIC NOTICE DECEMBER BOARD OF REVIEW

The City of Clare Board of Review will hold an organizational meeting on Tuesday, December 10, 2024, at 1:00 p.m. at Clare City Hall, 202 W Fifth Street, Clare, MI 48617. This meeting is subject to the Open Meetings Act. This institution is an equal opportunity provider and employer.

Diane Lyon
Clare City Clerk

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

