

AGENDA REPORT

TO: Mayor Pat Humphrey & Clare City Commissioners
FROM: Diane Lyon, City Clerk
DATE: November 27, 2024
RE: *Communications

For the Agenda of December 2, 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 December 2, 2024.**

FOIA Requests & Responses: Maria Garcia; Kaye Nocillado; Justin Cunningham.

Bureau of Elections News Update 2024-49: The Bureau of Elections regular news update is attached for information.

Charter Communications Programming Change: Charter Communications has provided notice of changes to their programming.

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

- Second Semi-annual DDA & LDFA Meeting Notices in compliance with PA 57 of 2008.

Attachments. As noted above.

Diane Lyon

From: FOIA@cityofclare.gov
Sent: Monday, November 18, 2024 11:19 AM
To: FOIA
Subject: New submission from Request for Examination or Copy of Records (FOIA)

Requestor Information

Name

Maria Garcia

Birth Year**Street Address**

1301 W. 22nd St, Suite 711

City

Oak Brook

State

Illinois

Zip Code

60523

Daytime Phone:

(312) 300-3382

Email

maria.garcia@844seemike.com

Request Information

Date/Time of Incident:

10/31/2024 16:09

Type of Incident:

Angie

Location of Incident:

MCGUIRK ST

I am requesting the following record(s):

We represent Em Thi Thuy Nguyen for an accident sustained on 10/31/2024. We hereby request your entire investigative file including the following:

- a. Police Body Cam Videos
- b. Photographs
- c. Videotapes
- d. Scene diagrams

- e. Audio recordings
- f. Computer data
- g. Any and all evidence or documents generated or obtained relating to this incident.

I am requesting the above record(s) for:

Inspection

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

Check Here

Diane Lyon

Subject: FW: Public Records Request for Unqualified Write-in Votes & Cumulative Results

From: Kaye Ann Nocillado <kayenocillado@codingallstars.com>
Sent: Monday, November 25, 2024 8:13 AM
To: Diane Lyon <DLyon@cityofclare.gov>
Subject: Public Records Request for Unqualified Write-in Votes & Cumulative Results

Dear Ms. Diane,

I hope this message finds you well.

Under the Michigan Freedom of Information Act (Michigan Compiled Laws § 15.231 et seq.), I am respectfully requesting access to certain public records related to the election results from your office.

Thus far, the reporting from your office on the Nov 5, 2024 presidential election has not included data on unqualified write-in votes, which is why I am making this request. Further, I understand that the results thus far may merely be preliminary and subject to change, which is perfectly acceptable.

Specifically, I am seeking official summary or cumulative results for the November 5, 2024 Presidential Election, including detailed counts of:

- **Unqualified write-in votes** (also known as **unassigned write-ins** or **rejected write-ins**)
- **Qualified write-in votes**
- **Undervotes**
- **Overvotes**

For clarification:

- **Unqualified write-in votes**, also referred to as **unassigned write-ins** or **rejected write-ins**, are votes cast for write-in candidates who did not meet the qualification requirements and thus are not counted toward any candidate but are recorded as such.
- **Qualified write-in votes** refer to votes cast for write-in candidates who have met all the necessary qualifications and filing requirements to have their votes officially counted.
- **Undervotes** are instances where a voter did not select a candidate for a particular race.
- **Overvotes** are instances where a voter selected more candidates than allowed for a particular race.

Level of Detail Required & Scope

- I am completely flexible on how the data is segmented. The data can simply be totals that encompass your entire jurisdiction which is preferable. Alternatively it can also be broken down by precinct, or broken down some other way. Any approach to data segmentation is acceptable.
- I am only requesting data for the Nov 5, 2024 Presidential Election. I do not need data for other contests.
- I do not need the names that were written in on the write-in votes. I simply need the total number of votes.
- I am aware that the election results may not have been certified and are subject to change.
- If possible, please affix your agencies letterhead to the top of the document with the results. But if that is difficult or time consuming then don't worry about it.

Format and Delivery:

- I am able to accept the record(s) in any electronic format that is most convenient for you, including PDF, DOC, DOCX, CSV, TXT, or otherwise. Please attach them to your email and send electronically via email.

Fees:

- If there are any fees associated with processing this request that are greater than \$5, please inform me of the estimated cost before proceeding.

Additional Information:

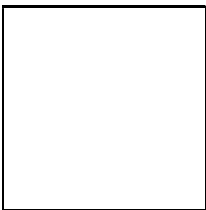
- If any part of this request is unclear or if you need further details to locate the records, please let me know, and I will provide additional clarification promptly.
- **If any of the above requested data is not available, please provide the report including the data that is available. If you only have preliminary (non-finalized) data, then that's perfectly acceptable, please send that.**
- If you require my phone number, name, or address to process this request then you can find it at the bottom of this email.

Thank you very much for your time and assistance in this matter. Your help is greatly appreciated, and I look forward to your response.

Sincerely,

--

Kaye Ann Nocillado
561-342-1398
9427 Boca Gardens Cir S APT D
Boca Raton FL, 33496



Diane Lyon

From: Diane Lyon
Sent: Monday, November 25, 2024 9:12 AM
To: 'Kaye Ann Nocillado'
Subject: RE: Public Records Request for Unqualified Write-in Votes & Cumulative Results

Good morning Kaye

You can find everything you want at the Clare County link <https://app.enhancedvoting.com/results/public/clare-county-mi/elections/2024General/ballot-items/01000000-bf19-7a9e-bb45-08dcf2aa6a60>

If after you review the information at that link, you still need more information, please let me know. Have a lovely Thanksgiving.

Diane M. Lyon
Clare City Clerk
Clare City Hall
202 W. Fifth Street
Clare, MI 48617

Office Hours Monday-Thursday 7-5:30

(989) 386-7541 Main
(989) 424-4068 Direct
(989) 386-4508 Fax

From: Kaye Ann Nocillado <kayenocillado@codingallstars.com>
Sent: Monday, November 25, 2024 8:13 AM
To: Diane Lyon <DLyon@cityofclare.gov>
Subject: Public Records Request for Unqualified Write-in Votes & Cumulative Results

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- If there are any fees associated with processing this request that are greater than \$5, please inform me of the estimated cost before proceeding.

Additional Information:

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- If you require my phone number, name, or address to process this request then you can find it at the bottom of this email.

Thank you very much for your time and assistance in this matter. Your help is greatly appreciated, and I look forward to your response.

Sincerely,

--

Kaye Ann Nocillado

Diane Lyon

From: FOIA@cityofclare.gov
Sent: Friday, November 22, 2024 4:56 AM
To: FOIA
Subject: New submission from Request for Examination or Copy of Records (FOIA)

Requestor Information

Name

Justin Cunningham

Birth Year

1,996

Street Address

675 W 59th St

City

New York

State

NY

Zip Code

10019

Daytime Phone:

(646) 853-5446

Email

justin@zipbuffalo.com

Request Information

Date/Time of Incident:

11/22/24

Type of Incident:

FOIA Request

Location of Incident:

N/A

I am requesting the following record(s):

Dear FOIA Officer,

I am writing to request access to and copies of records under the Michigan Freedom of Information Act, MCL 15.231 et seq.

We are looking for existing, already maintained electronic records (without copying, scanning, or printing) of the following data.

Vendors: A list of all vendors your institution has used from 2022-01-01 onward. For each vendor include

1. Vendor Name
2. Vendor Contact Name
3. Vendor Contact Email
4. Vendor Procurement Method

Purchase Orders: A list of all purchase orders dated 2022-01-01 onward. For each purchase order include

1. Purchase date
2. Vendor name
3. Line item details
4. Line item quantity
5. Line item price

Importantly, a similar request was recently made by SmartProcure or GovSpend in 2019 or even more recently and you might already have files referencing this information. We would prefer up to date information, but if the request will take a long time to complete, it would be great if you could send the SmartProcure data in the meantime.

If this request was misrouted, please forward to the correct contact person and reply to this communication with the appropriate contact information.

Should this request be denied wholly or partially, please provide a detailed justification for each decision, citing specific exemptions under the MI Freedom of Information Act. Additionally, I request that all segregable portions of otherwise exempt material be provided.

Should you need further information or clarification to expedite this request, do not hesitate to contact justin@zipbuffalo.com.

Thank you for your attention and cooperation. I look forward to your prompt response within the statutory period.

Sincerely,
Justin Cunningham

I am requesting the above record(s) for:

Copying



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

November 25, 2024

Justin Cunningham
675 W. 59th St.
New York NY 10019

646-853-5446
justin@usestarbridge.com

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

Your request for public record(s) under the Michigan Freedom of Information Act (“FOIA”), dated November 25, 2024, and received November 25, 2024 for the following records is acknowledged: existing, already maintained electronic records (without copying, scanning, or printing) of the following data.

Vendors: A list of all vendors your institution has used from 2022-01-01 onward. For each vendor include

1. Vendor Name
2. Vendor Contact Name
3. Vendor Contact Email
4. Vendor Procurement Method

Purchase Orders: A list of all purchase orders dated 2022-01-01 onward. For each purchase order include

1. Purchase date
2. Vendor name
3. Line item details
4. Line item quantity
5. Line item price

Importantly, a similar request was recently made by SmartProcure or GovSpend in 2019 or even more recently and you might already have files referencing this information. We would prefer up to date information, but if the request will take a long time to complete, it would be great if you could send the SmartProcure data in the meantime.

Your request is hereby **Granted for records provided to SmartProcure since 2022. If you wish to have any additional information, a search will be required and in turn, an estimate of fees will need to be assessed and provided prior to the conduct of a record search. Please contact me if you need additional information.**

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, City Clerk



From: Michigan Bureau of Elections <MISOS@public.govdelivery.com>
Sent: Monday, November 25, 2024 4:02 PM
To: Diane Lyon
Subject: 11/25/24 News Update -Board of State Canvassers, QVF access, Reimbursement, and more

Having trouble viewing this email? [View it as a Web page.](#)



November 25, 2024

Regular Edition News Update #2024-49

- [Board of State Canvassers certifies election results](#)
- [QVF Access Training: New clerks and/or staff members](#)
- [Reimbursement Updates](#)
- [Holiday closure](#)
- [Reminder: New clerks and/or staff members](#)
- [Reminder: Post-election audits of the Nov. 5, 2024 Election](#)
- [Helpful Links](#)

Board of State Canvassers certifies election results

The Board of State Canvassers met on Friday, Nov. 22, 2024, and voted to certify the results of the November presidential election. The Bureau of Elections would like to thank our election administrators across all 83 counties again for their hard work and dedication leading to the successful completion of another election. During the meeting, the Bureau presented to the Board on the conduct of the November election. Below is an excerpt of information that was shared with the board:



“The 5.7 million votes cast in the election represent not only the will of the voters but also the tireless and dedicated efforts of thousands of clerks, election staff, canvassers, and election inspectors across our state.

Certification makes official another successfully administered election in Michigan, which marks, yet again, a substantial accomplishment for our local election officials. This cycle, officials faced the challenge of implementing numerous, major changes to our election system made by amendments to our state constitution passed by voters in 2022 and laws enacted by our Legislature over the last two years.

Election officials got started early last year to prepare for statewide elections in 2024, while also administering local elections in 2023 and their other responsibilities. We had many new initiatives that, in a typical year, would be significant projects on their own. Election officials installed secure absent voter ballot drop boxes in every jurisdiction in the state, as well as prepaid return postage for all absent voter ballots and applications. They also implemented a new permanent absent voter ballot list, allowing voters to sign up one time and be mailed ballots for all future elections until their registration is cancelled or inactivated. The new mail ballot list was especially challenging to administer during the presidential primary, because permanent mail ballot voters needed a separate form to select a ballot for the party primary in which they wished to vote, and the primary was held earlier than in past years because of a legislative change.

No undertaking this year was more significant than the implementation of early in person voting. To implement a brand new method of voting in Michigan, local election officials had to work with their counterparts in local government and their neighboring jurisdictions to form agreements at the municipal and county level to set up early voting agreements and sites. Election officials had to develop and purchase new technology and equipment and determine the procedures that would be used to administer early voting. We had the benefit of funding provided by the Legislature to purchase equipment, rent space, and hire election workers, but the grant process also represented a major undertaking for all involved as state and local purchasing requirements had to be identified and followed.

Some predicted early voting would not be administered successfully or that voters would not embrace it, but they were wrong. Over 9 days of early voting statewide (and more days in some jurisdictions), 1.2 million Michiganders cast ballots before election day. It was popular throughout the state and over every day of early voting. To see so many voters embrace this new option, and election officials administer it so effectively while offering it for the first time in a major general election, was both inspiring and a testament to the commitment and excellence of our election workers.

Another major change this year was early tabulation of absentee ballots, which election officials pushed for as a legislative change and which was used in the vast majority of larger jurisdictions. Clerks predicted this would improve the absent voter ballot counting process and were proven right. With an available week to process absentee ballots before election day, things went much more smoothly, results were available earlier, and it was much easier to keep track of paperwork and keep precincts in balance. We had over 2.2 million voters cast ballots absentee – if you add that to the 1.2 million early voters, we had more than 3.4 million voters casting ballots before election day, slightly up from the 3.3 million we had voting absentee in 2020. We can probably expect the majority of ballots to continue to come in before election day in future elections, and it will be interesting to see how many voters continue to gravitate to early and absentee voting options.

2.3 million voters cast ballots on Election Day itself, which was where we saw the fewest changes, but there were also some important innovations there as well. Voters now have the option to bring in their absentee ballot to the polling place and tabulate it there, and many chose to do so. The Election Day registration process also went more smoothly this year, especially in communities with large numbers of college students who always see higher numbers of same day registrants. Thanks in part to the new option for jurisdictions with high numbers of same day registrations to utilize Election Day vote centers, we did not see the long lines we saw in 2022, another major win for election officials and voters.

All told, more than 5.7 million Michiganders cast ballots, breaking the previous turnout record of around 5.6 million in 2020. This is particularly notable because nationwide, turnout dropped compared to 2024. Voters clearly took advantage of their new options in exercising their right to vote, and election officials worked with diligence and integrity to make sure they had those options.

Most voters only see the election process through their typically smooth and easy experience voting and by watching the election results come in on Tuesday night. But getting to that point, especially this election cycle, took countless long hours from election officials and workers all across our state. Election workers are committed to making sure voters can fully enjoy their rights to register and cast ballots how they choose before or on Election Day, and this cycle especially, that meant a relentless effort and commitment to implementing these new laws over the last 2 years. In the months leading up to each election day, it meant

continuous high-volume periods to set up elections, register voters, issue and receive absentee ballots, and administer early and election day voting.

It was grueling, and it was extremely difficult, especially with election officials frequently being subjected to unfair criticism, abuse, and even threats. But that's what it takes, and election workers got it done. Without all the teams at the municipal, county, and state level working together, this election could not have been administered as successfully as it was."

The next step in the certification process is the Electoral College meeting in December, where presidential electors will cast their votes for President and Vice President, before the electoral votes are sent to Congress to be counted on Jan. 6, 2025.

QVF Access Training: New clerks and/or staff members



To gain user access to a jurisdiction's Qualified Voter File (QVF), all new clerks or deputy clerks must complete QVF User Access Training provided virtually in eLearning. The BOE Election Administration team has organized all relevant QVF access training materials into a [playlist](#). Look for the QVF Access banner in eLearning. The playlist includes both training curriculums for basic access and complete access along with all relevant links to QVF manuals and supplemental resource guides.

Reimbursement Updates

Early Voting November wages reimbursement available:

The reimbursement claim form for Wages from Early Voting during the 2024 November election is now open. This reimbursement claim period will close on Jan. 17, 2025.

To complete your reimbursement request, you will need the following:

1. Submitted Early Voting [November Wage Reimbursement claim form](#)
2. Wage Ledger (emailed to BOE-Reimbursement@Michigan.gov)
3. Proof of payment (emailed to BOE-Reimbursement@Michigan.gov)
4. Signed [Reimbursement Claim Certification](#) (emailed to BOE-Reimbursement@Michigan.gov)



BOE will only reimburse counties that submitted estimated wages in the Early Voting Grant from Round 1 and/or Round 2. Please submit one claim form per county.

Early Voting Grant Round 2 reimbursement available:

For counties that submitted an Early Voting Grant Round 2 application, you will receive an email with the specific instructions on how to submit your reimbursement request. The submission period will be open through Dec. 31, 2024. If you did not submit an Early Voting Grant Round 2 application between March 4 – April 26, 2024, you are not eligible to submit a Round 2 grant reimbursement request. If you missed the deadline for an Early Voting Grant Round 1 reimbursement request, there will be an opportunity to submit a claim form in the future once all timely requests have been processed.

No availability for additional early voting requests:

Jurisdictions have contacted the Bureau of Elections asking for additional opportunities to request early voting funding. After assessing the current equipment, wage and reimbursement requests, BOE has determined that funding is not available to provide additional reimbursements. BOE will continue to reimburse existing timely requests; however, the amount of reimbursement requested in current requests is expected to

use up available funding. Counties and locals may be able to purchase additional security related supplies by leveraging funds available through this [funding source](#).

Special election reimbursements:

Counties and locals that conducted a January 2024 Special Primary and April 2024 Special Election will be contacted directly about reimbursement opportunities from funding allocated by the Legislature.

Reminder: Early Voting Grant 1 & August Wage Requests:

Following the conduct of another successful election, the Operations Division will be renewing efforts to contact counties regarding documentation needed to close out Early Voting Grant 1 and August Wage Requests. Please provide any additional documentation needed to close out requests. At this time, we have completed 54 of 63 Early Voting Grant 1 requests and 66 of 74 August Wage requests.

EPB LPI:

The EPB LPI is scheduled for Jan. 14 – 16 & Jan. 21 – 23, 2025. Week 1, BOE & DTMB will map out the current functionality of the Election Day, Early Voting and Vote Center EPBs. Once requirements have been documented, BOE will work with clerks to provide feedback on future enhancements. In partnership with our security team, BOE will also develop specifications required if a clerk elects to utilize a vendor developed and supported EV EPB. Some clerks have already notified Operations of interest in participating. If you would like to participate, please email BOEOperations@Michigan.gov. Include your name, county, jurisdiction (if applicable) and your contact information. Participation opportunities will be a combination of in-person future process mapping, in-person focus groups, virtual feedback sessions, and online surveys gathering information on specific post-election takeaways and needed enhancements.

Holiday closure



The BOE phone line will be closed at 3:30 p.m. on Wednesday, Nov. 27. BOE will be closed on Thursday, Nov. 28 and Friday, Nov. 29 in observance of the Thanksgiving holiday. We hope you enjoy a well-deserved break with friends and family.

Reminder: New clerks and/or staff members

As new clerks and staff come on board in the coming months, please remember to complete the [Election Accounts Request Form](#) to report these additions, deletions and/or changes (including title changes).

Reminder: Post-election audits of the Nov. 5, 2024 Election

As part of the post-election audits of the November election, BOE will be conducting a statewide ballot audit of one statewide race in conjunction with post-election precinct procedural audits. These audits will follow a similar process as the audits conducted after the November 2022 General Election. Now that election results have been certified, state and county post-election audits can commence after any recounts are completed. Please watch future News Updates for more details regarding audits and schedules.





November 12, 2024



T3 P1 270 *****AUTO**ALL FOR AADC 480

City Of Clare
202 W. Fifth Street
Clare, MI 48617-1490

Re: Upcoming Changes to Channel Line Up

Dear Franchise Official,

This letter will serve as notice that on or around November 7, 2024, Spectrum Mid-America, LLC ("Spectrum"), will launch carriage of four new Spectrum Marketing Channels (HD) on channels 2417, 2421, 2422, and 2423 on the Clare, MI channel line-up serving your community.

In addition, the following channels have been rebranded:

- On or around November 11, 2024, *Music Choice Reggae* will temporarily change to **Music Choice Classic Christmas** on channels 914 & 1912.
- *Bally Sports Regional Sports Network* has been rebranded to **FanDuel Sports Networks** on channels 31, 35, 212, 219, 776, & 777.
- *FORO TV* has been rebranded to **N+FORO** on channels 312 & 845.
- *Israeli Network* has been rebranded to **Israel+** on channel 2762.

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



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

PUBLIC NOTICE

The City of Clare's Downtown Development Authority and the Local Development Finance Authority have scheduled their second of two semi-annual informational meetings for the year 2024, in accordance with PA57 of 2018 requirements.

The Clare Local Development Finance Authority will hold its public informational meeting on Thursday, December 12, 2024, at 8:00 a.m., at the Clare City Hall, Clare, Michigan.

The Clare Downtown Development Authority will hold its public informational meeting on Thursday, December 12, 2024, at 8:15 a.m., at the Clare City Hall, Clare, Michigan.

If you have questions or comments related to this meeting, please contact the City Treasurer at 989-424-4069 or via email at vcorlew@cityofclare.org

