

From: smbisio@gmail.com <smbisio@gmail.com>

Sent: Tuesday, July 1, 2025 7:43 PM

To: averya@villageofclarkston.org; CaseyG@VillageofClarkston.org;

QuisenberryT@VillageofClarkston.org; 'Sue Wylie' <wylies@villageofclarkston.org>;

RodgersL@VillageofClarkston.org; ForteA@VillageofClarkston.org; Jonese@VillageofClarkston.org

Cc: 'Jonathan Smith' <smithj@villageofclarkston.org>; clerk@villageofclarkston.org

Subject: FOIA Appeal/FOIA Fee Appeal

Please see attached FOIA appeal/FOIA fee appeal.

Kindest regards,

Susan Bisio

P.O. Box 1303

Clarkston, MI 48347

July 1, 2025

Subject: FOIA Appeal/FOIA Fee Appeal

Dear Clarkston City Council:

I submit the following for the city's appellate review. Please note the only reason for the fee appeal portion of the request is because an internal appeal is required before asking for judicial review of excessive and unlawful fee charges.

It's disappointing that, even though the city's attorneys reviewed its response, it's still legally deficient. I'm taking the time to provide the detail regarding what happened not only to use as an exhibit in a lawsuit should that unfortunately become necessary, but also to explain to the city council (the appellate body) that – despite all the inappropriate comments made by city officials during public meetings demonstrating government animus toward my husband and me personally that are preserved in the copies of Independence Television meeting recordings that I've kept – the problems the city has with the FOIA stem from a lack of attorney and employee competence, not any imaginary issue with the Bisios. I'm hopeful the recent change in attorneys will go a long way toward the city's compliance with statutes that really aren't inherently difficult to read and follow, even by a layperson.

What's clear from the history of this request is that city manager Jonathan Smith deliberately delayed the city's response to my FOIA request to avoid having to produce records until after the last public meeting on the 2025-2026 budget, preventing disclosure of budget-related information on my widely-read Clarkston Secrets website that would have exposed the full cost of Smith's proposed employee salary and benefit increases to the public; failed to keep adequate time records for record search and copying charges that accounted for interruptions and properly rounded down search and copying time; improperly charged for time spent searching for records kept by non-Clarkston entities because Smith apparently failed to make copies of these important city documents for the city's files before submitting them; parsed out my requests into separate, individual searches so that a minimum of 15 minutes of time could be charged for each document (rather than one charge rounded down and totaled once the overall record search for the FOIA request was complete); and charged more than the actual time spent making copies

on the city's newly leased RICOH IMC2510 copier (that the manufacturer claims takes 24 seconds to warm up, can print up to 25 pages per minute, and can scan up to 150 images per minute (simplex) and 300 images per minute (duplex)). In the event of litigation, the city would be hard-pressed to prove any of its claimed fees are justified, and your appellate review should proceed with that in mind.

The city must refund \$31.50 charged for Smith's wasted time searching for records for an hour and a half on Senator Slotkin's website because he failed to keep a copy of the grant application he submitted to her office. It's not clear if Smith's search charges also include researching Congresswoman McClain's and/or Representative Harris's websites because of Smith's reference to "various documents submitted online" in his response, but if it does, that portion of the fee must be refunded as well.

Smith also failed to combine the time for record search to respond to the request, parsing it into four separate searches that allowed him to charge 15 minutes or more for each search, artificially and improperly boosting the overall charge. Search time should have been tracked as a whole, totaled, and rounded down to the nearest 15-minute increment and the overall fee should be reduced to reflect that. Since Smith was unable to produce time records proving the actual time spent minus interruptions for both his and clerk Angela Guillen's time, this will be difficult if not impossible and the fees charged for search time unsupportable.

Smith's \$10.50 in copying charges should be removed from the total because the actual time spent would have been less than one 15-minute increment, making the round down to zero minutes.

Finally, the city needs to provide a legally proper response to the record request, which includes a denial/certification for any records the city doesn't possess in connection with the three grant requests.

What I Requested:

On May 14, 2025, I sent a simple, two-part FOIA request for copies of records that should have been immediately available to Smith given their recency and importance to the city. (Exhibit A.) The request asked for:

- 1. The three recently filed grant applications seeking federal funds for sidewalk repair and replacement, apron repair, and other construction in downtown Clarkston. If it's not already part of the applications, please include a copy of any recent engineering estimate that supports Jonathan Smith's public claim this project will cost approximately \$1.5 million to complete.*
- 2. All records showing the detail regarding the planned salary and benefit increases that underlie the \$36,883 "dollar increase" expressed in Jonathan Smith's "Revisited/Modified Increases for the 25/26 Fiscal Year." Specifically, I want to know how much each employee will be receiving and any changes to current employee benefits.*

The first request relates to the \$1-\$1.5-million project Smith proposed at the March 24, 2025, city council meeting for major renovations downtown. This is important to Clarkston taxpayers because councilmember Al Avery suggested at the March 24, 2025, city council meeting that the city should proceed with the expense of a bond if the grant applications were unsuccessful. If the voters approved such a bond, this would result in another tax increase for Clarkston taxpayers (the first being the recent .691 mill tax increase used to fund employee salary and benefit increases).

This downtown repair project expanded from fixing seven problematic driveway aprons on Main Street to replacing all downtown sidewalks and seven driveway aprons, adding pedestrian safety features, and even potentially including a tree watering system. Smith advised the council that the first grant application would be made to the Congressionally Directed Spending Program (CDSP) through U.S. Representative Lisa McClain, and if successful, taxpayers would be on the hook for 20% of the requested amount (\$300,000), money we don't currently have available to spend. Smith claimed the CDSP grant application consisted of "[a] lot of questions, but nothing terribly complicated" and he planned to rush through the application by the deadline one week later. Smith advised the city council he needed to establish a budget and have quotes that aligned with the budget to submit with the application. He also told the council and the public that a potential new engineering firm would be meeting with Smith on March 25 to "walk the downtown streets, and he's going to put together an estimate of what it would cost, everything I'm talking about." Finally, Smith advised he would be preparing letters for local "civic

leaders” to review and sign showing support for the application (and he was excited about using Chat GPT to generate the letters).

At the April 28, 2025, city council meeting, Smith claimed the estimate to replace only the pavers and sidewalks on Main Street had ballooned to \$1.6 million based on an estimate he’d had prepared. Smith said he’d “completed three big grant applications now, one to the U.S. House of Representatives, one to the U.S. Senate, and one to Michigan, all for the Main Street project to repave our pavers, driveways, as well as our sidewalks, making all the sidewalks ADA compliant.”

The city should easily have been able to fulfill the request for a copy of the three applications containing overlapping material and the engineering estimate – if Smith had kept copies of what he sent for such an important undertaking.

The second request speaks for itself – I wanted more background information for the large salary increases for four city hall employees (with Smith receiving the largest portion) that were going to be funded by a .691 mill tax increase. This information should also have been readily available since the proposed salary increases were presented as a lump sum total as part of the city council meeting packet for the May 12, 2025, city council meeting that was published two days before my FOIA request. As councilmembers know, Smith has been working on his salary increase project since the summer of 2024 and, based on his comments at the May 12, 2025, city council meeting, the salary increase project also included adding health insurance for city employees and a larger retirement savings match (though these latter costs were excluded from the budget presentation information provided to the public).

Even though all requested records should have been immediately available, Smith sent an extension letter on May 21, 2025, advising that he needed to extend the city’s time to respond to June 5. And, despite city attorney Tom Ryan’s one hour (\$95) charge to the city the day before to “[r]eview correspondence from Elections Director re: Mrs. Bisio FOIA request; phone call to City Manager re: FOIA request,” the city still managed to count its response time incorrectly in the one-paragraph extension letter it sent. (Exhibit B, Tom Ryan May 2025 bill for legal services; Exhibit C, Smith email and extension letter.)

The Response and Request for Deposit:

On June 4, Smith sent a response to the request, granting the request in its entirety. (Exhibit D.) Granting a request means that all documents are available in city files and are provided in their entirety with no exemptions taken. And, as Smith explained to councilmember Amanda Forte on November 12, 2024, a denial "means we don't have the documents, and I'm stating, I'm signing a certificate saying I certify, I do not have these documents on site."

The June 4, 2025, FOIA response included a legally deficient FOIA invoice, asking for a 50% fee deposit (\$31.50) "for the *expected* costs incurred of this FOIA request" to be paid "*before* this request is processed." (Exhibit D, italics are mine.) Smith also attached an unnecessary "FOIA Appeal Form" that I was apparently expected to use if I wished to appeal the fee, something the city isn't legally authorized to insist on. The "anticipated" time to complete the request was 30 minutes of copying time and 2.5 hours of search time.

Since extension letters and requests for deposit, while lawful, are frequently used to delay responses to FOIA requests, and I correctly surmised that was the case here, I sent full payment of the entire estimated costs to avoid further delays on the city's part, anticipating a refund check if the city had overestimated its fees. My response email noted that most of these records should already be in pdf form (because they were online grant submissions and/or budget documents), readily available by electronic search, and there should be no charge for any documents available online. (Exhibit E.)

I also suspected the search and copying time had been exaggerated given the city manager's publicly expressed animus toward me personally. (Two examples of this animus are an email the city manager sent using his official government email account encouraging someone to file a baseless lawsuit against me and, more recently, telling the city council he was discouraged that the city's "FOIA attorney" told him he shouldn't charge me for my last FOIA request in November 2024 (because that previous request was straightforward and of minimal cost to the city to provide, as was the current request)). Because of that suspicion, I asked that the city include a copy of any time logs for city employees documenting starting and stopping times for the labor components with the final response. Some method of detailed timekeeping is required when charging FOIA fees, since all individual minutes

spent on authorized charging tasks must be totaled and then rounded down to the nearest increment when the final task component is complete. Since Smith has claimed that city hall employees are frequently interrupted with phone calls and in-person visits, accurate timekeeping requires that starting and stopping times are noted to account for phone calls, in-person interruptions, chatting with coworkers, bathroom breaks, lunch breaks, etc. Failure to keep accurate time records can be used against the city in a lawsuit.

Final Response and Excessive Fee:

On Tuesday, June 24, 2025, copying three attorneys – Tom Ryan, Gerald Fisher, and Kristen Kolb – and likely incurring legal expenses from all three, Smith sent a response advising the city had received my bank check the day before and was now sending its final response to my FOIA request. (Exhibit F). Notably, this response did not include the final invoice, which was required because the first invoice was purportedly a request for a good faith deposit for an estimated fee that must be paid before the work on the request was started; a final invoice must be provided to reflect final, actual costs. The request for deposit before the work began was, as demonstrated below, a sham.

In his June 24, 2025, email, Smith provided an ostensible “breakdown of the time required” to provide the requested records in response to my request for time logs, asserted without proof that the time was rounded down to the nearest 15-minute increment, and the final cost was - coincidentally - exactly the amount of the estimated cost to complete the request. Based on years of personal experience handling FOIA matters, genuine and forthright requests for deposits made before the fulfillment work is complete are as likely to exactly equal final costs as being hit by an asteroid on the way home from work would be. Smith admitted in his June 24 email that the retrieval and copying work had been completed at the time of the June 4 response, since the June 24 email showed the work was completed on June 2 and 3. Thus the city’s response to the request was already complete at the time Smith made his June 4 request for deposit.

The request for deposit was an artifice to delay the final response, since the search and copying work was already completed at the time of the June 4 request for deposit. There is no reason why advising me that the records were

available was delayed from June 4 to June 24 other than an intention to postpone the final disclosure of the records until after the city council completed its public budget meetings. This was likely due to Smith's personal animus toward me (since the city could have simply sent an invoice for the full amount twenty days earlier on June 4) and because Smith wanted to prevent me from publicizing records on my website before the public hearing and final approval of the budget, effectively eliminating the public's opportunity to object to an additional \$14,484 in costs for employee benefits.

Though Smith granted the FOIA request entirely on June 4, he did not provide all the requested documents on June 24. As Smith admitted to councilmember Forte, he's aware that failure to provide all requested documents – even though the response was posited as a grant – is actually a legal denial that can result in an immediate lawsuit, yet that's what happened here. Smith's response also demonstrates that he parsed out the search time for each individual document rather than counting the time as a whole, which had the effect of artificially boosting the overall search time as it allowed him to charge at least 15 minutes to search for each of the four requested documents.

1. The Slotkin grant request – Smith provided a six-page supplemental portion of an application that referenced an attachment that wasn't provided. The record provided did not specify the amount of the grant application or any support for that amount. Smith made the following statement in connection with this portion of the city's response to justify the time spent: "June 2, 2025, Jonathan Smith, 1.5 hours to attempt to obtain a copy of the online grant application submission for Congressionally Directed Spending through Elissa Slotkin's website." Smith also stated: "A copy of the grant request form for the U.S. Congressionally Directed Spending program through U.S. Senator Elissa Slotkin. Note: It was not possible to obtain a copy of the full online submission, but it closely mirrors the above Community Project Funding application." In other words, Smith didn't keep a copy of the Slotkin grant application or its attachments, spent (at least) an hour and a half of time searching a federal website to obtain the information he didn't keep a copy of, and charged me \$31.50 - 60% of the overall labor fee for record search related to this FOIA request - for his attempts to obtain public records from another public entity that isn't Clarkston.

The Michigan FOIA defines a public record as “a writing prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.” My request was directed to Clarkston and asked for Clarkston’s public records. If Smith failed to keep a copy of what was submitted in connection with the Slotkin grant, then a proper response would be a denial because the records don’t exist in Clarkston’s files. Failing to keep a copy of a government grant submission for a grant request exceeding a million dollars is an issue the city council should address; however, the city should refund \$31.50 for this portion of the request because it did not relate to a charge for a search of city records. The city should amend its response to the request by denying the request for the records and certifying that the complete grant application does not exist in the city’s files.

2. The McClain grant request – This portion of the response was more complete. Smith produced twenty-nine pages of a Google docs form, stating: “June 2, 2025, Jonathan Smith, .50 hours to locate the various documents submitted online for Community Project Funding through Lisa McClain’s website.” Since no time log was provided, it’s unclear if this is an accurate account of Smith’s search time to find this one Google docs form that should have been in his email box and found through electronic search.
3. The Harris grant request – Smith provided an 18-page email document that included the same attachments he’d sent in connection with the McClain grant request. Smith stated this email took (at least) 15 minutes to locate, stating: “June 3, 2025, Jonathan Smith, .25 hours to locate the various documents submitted online for Michigan Legislative Funding through Mike Harris’s office.”
4. Compensation and benefit documents – Smith attached three pages of records; only the first page was disclosed to the public at the May 27, 2025, public hearing on the 2025-2026 budget. The third page, titled “Salary Study Impact Assessment for the Administrative Staff – May 2025” and never disclosed to the public, reveals that it will cost \$8,000 to provide health insurance to the clerk and \$6,484 more to increase the retirement savings match to 4% for all employees. This third page

chart also contains a salary range that the city council apparently inferentially approved for each of the four city hall positions along with a recommended placement within the range for each employee and shows the clerk was recommended (and was ultimately approved) for a \$50,000 salary that exceeds the maximum salary recommended (\$44,850) in the recent Rahmberg compensation study for a total compensation package of \$60,000 for a 32-hour work week. Not only was this last page never provided to the public, it was also never discussed at a public hearing or during the city council meeting when the budget was subsequently approved – even though the financial commitments will all be funded through taxpayer dollars. Smith's time justification for records that related to a council packet that had been published two days before the FOIA request stated: "June 3, 2025, Jonathan Smith, .25 hours to locate the requested compensation/benefit documents."

5. Smith provided a total of 56 pages of records that likely already existed in electronic form yet made the following claim to support a half-hour copying charge: "June 3, 2025, Angela Guillen, .50 hours to copy/duplicate documents, where necessary, from the above three grant applications." Even if the 53 pages of grant-related material existed only in paper form, it beggars belief that Guillen stood in front of the city's brand new copier for (at least) 30 minutes making copies of these 8.5 x 11 pages (and I doubt the city wants to have this claim examined in front of a judge at an evidentiary hearing or under oath at a deposition). Since the city charges in 15-minute increments for copying, it doesn't take even 15 minutes to copy 53 paper pages on the slowest of copiers, and Smith admitted that Guillen didn't have to copy all 53 pages of grant-related material (because she only copied pages "where necessary"), the city should refund this \$10.50 charge in its entirety because it's required to round down to the nearest 15-minute increment.

I am hopeful the city will make the right choice and amend its response to the request and adjust or eliminate the FOIA charges without the necessity of a lawsuit. Should the city ignore my appeal (as it has in the past) or refuse to adjust the FOIA fees, forcing me to go through the aggravation of filing a lawsuit over such a small matter, I will instruct my attorney to forego any personal request for damages that I would otherwise be entitled

to under the FOIA statute, including punitive damages for Smith's bad faith delaying tactic. This will have the effect of taking the cost to defend the lawsuit outside the city's municipal insurance coverage, requiring the city to pay its own legal costs from the city's budget at a cost of at least \$150/hour, and, should I prevail, additionally pay my attorneys' fees and costs. It will be up to the court to independently decide whether the city should pay separate fines to the state treasury as punishment for Smith's deliberate delay in responding to the request and for charging excessive fees; we'll simply provide the documents that prove that actually was the case for the court's review.

Kindest regards,

Susan Bisio
P.O. Box 1303
Clarkston, MI 48347

Exhibit A

From: smbisio@gmail.com <smbisio@gmail.com>

Sent: Wednesday, May 14, 2025 11:33 AM

To: clerk@villageofclarkston.org

Subject: FOIA request

Dear FOIA Coordinator:

Please provide a copy of the following records:

1. The three recently filed grant applications seeking federal funds for sidewalk repair and replacement, apron repair, and other construction in downtown Clarkston. If it's not already part of the applications, please include a copy of any recent engineering estimate that supports Jonathan Smith's public claim this project will cost approximately \$1.5 million to complete.
2. All records showing the detail regarding the planned salary and benefit increases that underlie the \$36,883 "dollar increase" expressed in Jonathan Smith's "Revisited/Modified Increases for the 25/26 Fiscal Year." Specifically, I want to know how much each employee will be receiving and any changes to current employee benefits.

If any part of my request is unclear, please let me know and I will restate the request.

I prefer all records be sent electronically to this email address.

Your kind attention to this matter is appreciated.

Sincerely,
Susan Bisio
P.O. Box 1303
Clarkston, MI 48347

Exhibit B

Thomas J. Ryan, P.C.

2055 Orchard Lake Road
Sylvan Lake, MI 48320

Invoice submitted to:
Jonathan Smith
City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

June 9, 2025

Invoice #11149

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>	
5/1/2025 Review letter from Bureau of Elections re: Secretary of State's conclusion of investigation and dismissing complaint filed by Mr. Bisio against the city for alleged campaign finance violation (Bisio v Clarkston Case No. 24-267); Email to City Manager, Mayor Wylie and City Council re: forwarded Bureau of Elections Letter	1.50 95.00/hr	142.50	✓
5/2/2025 Phone call from Judge Matthew's staff attorney re: any action taken since briefing schedule; advised received letter from Bureau of Elections; Review email from Judge Matthew's staff attorney re: phone call and upcoming oral argument re: Bisio v City 24-211358-AA; Review email from Mr. Bisio re: response to Judge Matthew's staff attorney	1.50 95.00/hr	142.50	✓
5/7/2025 Review Opinion by Judge Matthews re: Bisio vs. Clarkston) Email to City Manager Opinion to forward to City Council	1.00 95.00/hr	95.00	✓
5/9/2025 Review correspondence from Court of Appeals re: Appellant's filing with Court of Appeals	0.50 95.00/hr	47.50	✓
5/11/2025 Review Court of Appeals Notice Regarding Service of Record on Appeal, Docketing Statement; Claim of Appeal re: Bisio v Clarkston (appeal of Judge Matthew's dismissal re: Bureau of Elections appeal Case No. 267)	1.00 95.00/hr	95.00	✓
5/12/2025 Review Letter and Claim of Appeal from Mr. Bisio re: Bisio v Clarkston & HDC appealing dismissal of Bureau of Elections No 24.268	1.00 95.00/hr	95.00	✓
5/13/2025 Review correspondence from Court of Appeals re: docket number for Bisio v Clarkston	0.50 95.00/hr	47.50	✓
5/14/2025 Phone call from/to City Manager re: miscellaneous city matters	0.50 95.00/hr	47.50	✓

	<u>Hrs/Rate</u>	<u>Amount</u>	
5/19/2025 Review correspondence from City Manager and Oakland County Assessing Contract; Preparation of Memo to City Manager re: Oakland County Assessing Contract	1.00 95.00/hr	95.00	✓
5/20/2025 Review correspondence from Elections Director re: Mrs. Bisio FOIA request; Phone call to City Manager re: FOIA request	1.00 95.00/hr	95.00	✓
Review correspondence from City Manager re: MDOT Cat B application; Review Professional Services Agreement; proposed Resolution and opinion of costs re: Church Street	1.50 95.00/hr	142.50	✓
5/27/2025 Correspondence to City Manager re: MDOT Cat B Application	0.50 95.00/hr	47.50	✓
Correspondence to City Manager re: Circuit Court appeal of filing by Mr. Bisio regarding dismissal of Bureau of Elections No. 24-267 and Court of Appeals filing re: Bisio v Clarkston	0.50 95.00/hr	47.50	✓
Review Council Meeting packet	0.50 95.00/hr	47.50	✓
Preparation of Appearance in Court of Appeals (Bisio v Clarkston)	0.50 95.00/hr	47.50	✓
Attend City Council meeting	4.00 95.00/hr	380.00	✓
Preparation and filing of Appearance on behalf of Defendants-Appellees re: Bisio v Clarkston & HDC	0.50 95.00/hr	47.50	✓
5/28/2025 Review miscellaneous correspondence from the City	0.50 95.00/hr	47.50	✓
5/29/2025 Review correspondence from City re: HDC Ordinance 101	0.50 95.00/hr	47.50	✓
Review correspondence from Mr. Kelly re: Independence and Clarkston contracts for services; Phone call with Mr. Kelly re: contracts for services	1.00 95.00/hr	95.00	✓
5/30/2025 Correspondence to City Manager re: contracts for services with Independence Township	0.50 95.00/hr	47.50	✓
For professional services rendered	20.00	\$1,900.00	
Previous balance		\$902.50	
Accounts receivable transactions			
5/7/2025 Payment - Thank You No. 11926		(\$902.50)	
Total payments and adjustments		(\$902.50)	

101-266-803-000

Jonathan Smith

Page 3

Balance due

Amount

\$1,900.00

Exhibit C

From: Clerk <clerk@villageofclarkston.org>

Sent: Wednesday, May 21, 2025 5:15 PM

To: Susan Bisio <smbisio@gmail.com>

Cc: Jonathan Smith <smithj@villageofclarkston.org>; 'Thomas Ryan' <sylvanlawtr@gmail.com>

Subject: RE: FOIA request

Ms. Bisio

Please see the attached FOIA Extension Request for your records and knowledge.

Thank you,

***Jonathan Smith, City Manager
Interim City Clerk***

City of the Village of Clarkston

375 Depot, Clarkston, MI 48346

clerk@villageofclarkston.org

Office: (248) 625-1559





375 Depot Road, Clarkston, MI 48346
248-625-1559

May 21, 2025

Susan Bisio
P.O. Box 1303
Clarkston, MI 48347
smbisio@gmail.com

Re: Freedom of Information Act Request requesting the following records pertaining to: 1. The three recently filed grant applications seeking federal funds for sidewalk repair and replacement, apron repair, and other construction in downtown Clarkston. If it's not already part of the applications, please include a copy of any recent engineering estimate that supports Jonathan Smith's public claim this project will cost approximately \$1.5 million to complete. 2. All records showing the detail regarding the planned salary and benefit increases that underlie the \$36,883 "dollar increase" expressed in Jonathan Smith's "Revisited/Modified Increases for the 25/26 Fiscal Year." Specifically, I want to know how much each employee will be receiving and any changes to current employee benefits.

The above-described request for information was received by our Clerk's office on Thursday, May 15, 2025. The response date would normally be Wednesday, May 21, 2025. In order to determine the extent of responsive information, if any, inquiry must be made within this office and relevant files must be searched. Therefore, we are extending our response time by ten (10) additional business days (excluding the holiday). The response will be due on Thursday, June 5, 2025.

Sincerely,

Jonathan Smith, City Clerk
City of the Village of Clarkston
375 Depot, Clarkston, MI 48346
clerk@villageofclarkston.org
Office: (248) 625-1559

A copy of the City's FOIA Procedures and Guidelines and the written summary are located on the City's website at: villageofclarkston.org

Exhibit D

From: Jonathan Smith <smithj@villageofclarkston.org>
Sent: Wednesday, June 4, 2025 3:51 PM
To: Susan Bisio <smbisio@gmail.com>
Cc: sylvanlawtr@gmail.com; Clerk <clerk@villageofclarkston.org>
Subject: FOIA Request of May 14, 2025

Hello Susan,

Please find the attached cover letter and Cost Worksheet pertaining to your FOIA request dated 5/14/2025.

Let me know of any questions you may have,

Thank you,

Jonathan Smith

City Manager, City of the Village of Clarkston
375 Depot Road, Clarkston MI 48346
Email: smithj@villageofclarkston.org
Office: (248) 625-1559
Cell: (248) 909-3380



June 4, 2025

Via Email: smbisio@gmail.com

Mrs. Susan Bisio

RE: Deposit Required to Provide Documents for Your FOIA Request of May 14, 2025

Dear Mrs. Bisio:

Recently, on the 15th day of May, 2025, you submitted a FOIA request for the following public records:

1. The three recently filed grant applications seeking federal funds for sidewalk repair and replacement, apron repair, and other construction in downtown Clarkston. If it's not already part of apron repair, and other construction in downtown Clarkston. If it's not already part of the applications, please include a copy of any recent engineering estimate that supports Jonathan Smith's public claim this project will cost approximately \$1.5 million to complete.
2. All records showing the detail regarding the planned salary and benefit increases that underlie the \$36,883 "dollar increase" expressed in Jonathan Smith's "Revisited/ Modified Increases for the 25/26 Fiscal Year." Specifically, I want to know how much each employee will be receiving and any changes to current employee benefits.

Your FOIA request is granted. I have attached the FOIA Itemization Form for the expected costs incurred of this FOIA request. Please remit ½ of this amount, \$31.50 (dollars), before this request is processed. Please make a check payable to City of the Village of Clarkston. I have attached a FOIA Appeal Form if you wish to appeal the fee. If you have any questions or concerns, please feel free to contact me.

Sincerely,

Jonathan Smith
FOIA Coordinator

/JS
Attachments

City: Keep original and provide copies of both sides of each sheet, along with Public Summary, to requestor at no charge.

City of the Village of Clarkston
375 Depot Clarkston 48346
248-625-1559

Detailed Cost Itemization

Freedom of Information Act Request Itemized Cost Worksheet

Date: June 3, 2025

Prepared for Request No.: S. Bisio 5/14/2025_____

Date Request Received: May 14, 2025

The following costs are being charged in compliance with Section 4 of the Michigan Freedom of Information Act, MCL 15.234, according to the city's FOIA Policies and Guidelines.			
1. Labor Cost for Copying / Duplication This is the cost of labor directly associated with duplication of publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on non-paper physical media or through the Internet or other electronic means as stipulated by the requestor. This shall not be more than the hourly wage of the cities lowest-paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged in <u>15</u> -minute time increments as set by the City Council (for example: 15-minutes or more); all partial time increments must be rounded down. If the number of minutes is less than one increment, there is no charge. Hourly Wage Charged: \$21.00_____ OR Hourly Wage with Fringe Benefit Cost: \$_____ Multiply the hourly wage by the percentage multiplier: _____% (up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate. \$_____ <input type="checkbox"/> Overtime rate charged as stipulated by Requestor (overtime is not used to calculate the fringe benefit cost)		To figure the number of increments, take the number of minutes: <u>30</u> , divide by <u>15</u> -minute increments, and round down. Enter below: Number of increments x 2_____ =	1. Labor Cost \$10.50 _____

2. Labor Cost to Locate:

This is the cost of labor directly associated with the necessary searching for, locating, and examining public records in conjunction with receiving and fulfilling a granted written request. **This fee is being charged because failure to do so will result in unreasonably high costs to the city that are excessive and beyond the normal or usual amount for those services compared to the city's usual FOIA requests, because of the nature of the request in this particular instance, specifically: to locate the congressional grant applications which were submitted online, not through paper copies.**

The city will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged in 15 -minute time increments (*must be 15-minutes or more*); all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Wage Charged: \$21.00

Charge per increment: \$5.25

OR

Hourly Wage with Fringe Benefit Cost: \$

OR

Multiply the hourly wage by the percentage multiplier: %

(up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate.

Charge per increment:

\$

☐ Overtime rate charged as stipulated by Requestor (*overtime is not used to calculate the fringe benefit cost*)

To figure the number of increments, take the number of minutes: 150, divide by 15 -minute increments, and round down. Enter below:

Number of increments

x 10 =

2. Labor Cost

\$52.50

3a. Employee Labor Cost for Separating Exempt from Non-Exempt (Redacting):

(Fill this out if using a city employee. If contracted, use No. 3b instead).

The city will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.

This fee is being charged because failure to do so will result in unreasonably high costs to the city that are excessive and beyond the normal or usual amount for those services compared to the city's usual FOIA requests, because of the nature of the request in this particular instance, specifically:

This is the cost of labor of a city **employee**, including necessary review, directly associated with separating and deleting exempt from nonexempt information. This shall not be more than the hourly wage of the **city's lowest-paid employee** capable of separating and deleting exempt from nonexempt information in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged in -minute time increments (*must be 15-minutes or more*); all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Wage Charged: \$

Charge per increment: \$

OR

Hourly Wage with Fringe Benefit Cost: \$

OR

Multiply the hourly wage by the percentage multiplier: %

(up to 50% of the hourly wage) and add to the hourly wage for a total per hour rate.

Charge per increment: \$

☐ Overtime rate charged as stipulated by Requestor (*overtime is not used to calculate the fringe benefit cost*)

To figure the number of increments, take the number of minutes: , divide by -minute increments, and round down. Enter below:

Number of increments

x =

3a. Labor Cost

\$

3b. Contracted Labor Cost for Separating Exempt from Non-Exempt (Redacting):

(Fill this out if using a contractor, such as the attorney. If using in-house employee, use No. 3a instead.)

The city will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.

This fee is being charged because failure to do so will result in unreasonably high costs to the city that are excessive and beyond the normal or usual amount for those services compared to the city's usual FOIA requests, because of the nature of the request in this particular instance, specifically: _____

As this city does not employ a person capable of separating exempt from non-exempt information in this particular instance, as determined by the FOIA Coordinator, this is the cost of labor of a **contractor** (i.e.: outside attorney), including necessary review, directly associated with separating and deleting exempt information from nonexempt information. This shall not exceed an amount equal to 6 times the state minimum hourly wage rate of _____ (currently \$8.15).

Name of contracted person or firm: _____

These costs will be estimated and charged in _____-minute time increments (*must be 15-minutes or more*); all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Cost Charged: \$ _____

Charge per increment: \$ _____

To figure the number of increments, take the number of minutes: _____, divide by _____-minute increments, and round down to: _____ increments.
Enter below:

Number of increments

x _____
= _____

3b. Labor Cost
\$ _____

4. Copying / Duplication Cost:

Copying costs may be charged if a copy of a public record is requested, or for the necessary copying of a record for inspection (*for example, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection*).

No more than the actual cost of a sheet of paper, up to maximum 10 cents per sheet for:

- **Letter** (8 ½ x 11-inch, single and double-sided): _____ cents per sheet
- **Legal** (8 ½ x 14-inch, single and double-sided): _____ cents per sheet

No more than the actual cost of a sheet of paper for other paper sizes:

- **Other paper sizes** (single and double-sided): _____ cents / dollars per sheet

Actual and most reasonably economical cost of non-paper physical digital media:

- **Circle applicable:** Disc / Tape / Drive / Other Digital Medium Cost per Item: _____

The cost of paper copies **must** be calculated as a total cost per sheet of paper. The fee **cannot exceed** 10 cents per sheet of paper for copies of public records made on 8-1/2- by 11-inch paper or 8-1/2- by 14-inch paper. A city **must** utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.

Number of Sheets:

x _____
= _____
x _____
= _____

x _____
= _____

No. of Items:

x _____
= _____

Costs:

\$ _____
\$ _____

\$ _____

\$ _____

4. Total Copy Cost
\$ _____

5. Mailing Cost:

The city will charge the actual cost of mailing, if any, for sending records in a reasonably economical and justifiable manner. Delivery confirmation is not required.

- The city **may** charge for the least expensive form of postal delivery confirmation.
- The city **cannot** charge more for expedited shipping or insurance unless specifically requested by the requestor.*

Actual Cost of Envelope or Packaging: \$ _____

Actual Cost of Postage: \$ _____ per stamp
\$ _____ per pound
\$ _____ per package

Actual Cost (least expensive) Postal Delivery Confirmation: \$ _____

*Expedited Shipping or Insurance as Requested: \$ _____

☐ * Requestor has requested expedited shipping or insurance

Number of
Envelopes or
Packages:

x _____
= _____

x _____
= _____

x _____
= _____

x _____
= _____

x _____
= _____

x _____
= _____

Costs:

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

\$ _____

5. Total
Mailing
Cost

\$ _____

6a. Copying/Duplicating Cost for Records Already on City's Website:

If the public body has included the website address for a record in its written response to the requestor, and the requestor thereafter stipulates that the public record be provided to him or her in a paper format or non-paper physical digital media, the city will provide the public records in the specified format and may charge copying costs to provide those copies.

No more than the actual cost of a sheet of paper, up to maximum 10 cents per sheet for:

- **Letter** (8 ½ x 11-inch, single and double-sided): _____ cents per sheet
- **Legal** (8 ½ x 14-inch, single and double-sided): _____ cents per sheet

No more than the actual cost of a sheet of paper for other paper sizes:

- **Other paper sizes** (single and double-sided): _____ cents / dollars per sheet

Actual and most reasonably economical cost of non-paper physical digital media:

- **Circle applicable:** Disc / Tape / Drive / Other Digital Medium Cost per Item: _____

☐ Requestor has stipulated that some / all of the requested records that are already available on the city's website be provided in a paper or non-paper physical digital medium.

Number of
Sheets:

x _____
= _____

x _____
= _____

x _____
= _____

No. of Items:

x _____
= _____

Costs:

\$ _____

\$ _____

\$ _____

\$ _____

6a. Web
Copy Cost

\$ _____

6b. Labor Cost for Copying/Duplicating Records Already on City's Website:

This shall not be more than the hourly wage of the city's lowest-paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor. These costs will be estimated and charged in ____-minute time increments (i.e.: 15-minutes or more); all partial time increments must be rounded down. If the number of minutes is less than 15, there is no charge.

Hourly Wage Charged: \$ _____

\$ _____

OR

Hourly Wage with Fringe Benefit Cost: \$ _____

Multiply the hourly wage by the percentage multiplier: _____ %
and add to the hourly wage for a total per hour rate.

\$ _____

The city may use a fringe benefit multiplier greater than the 50% limitation, not to exceed the actual costs of providing the information in the specified format.

☐ Overtime rate charged as stipulated by Requestor

Charge per increment: _____

OR

Charge per increment: _____

To figure the number of increments, take the number of minutes: _____, divide by _____-minute increments, and round down. Enter below:

Number of increments _____

x _____
= _____**6b. Web Labor Cost**

\$ _____

6c. Mailing Cost for Records Already on City's Website:

Actual Cost of Envelope or Packaging: \$ _____

Actual Cost of Postage: \$ _____ per stamp / per pound / per package

Actual Cost (least expensive) Postal Delivery Confirmation: \$ _____

*Expedited Shipping or Insurance as Requested: \$ _____

☐ * Requestor has requested expedited shipping or insurance

Number: _____

x _____
= _____x _____
= _____x _____
= _____x _____
= _____

Costs: _____

\$ _____

\$ _____

\$ _____

\$ _____

6c. Web Mailing Cost

\$ _____

Subtotal Fees Before Waivers, Discounts or Deposits:

Copying:

Estimated Time Frame to Provide Records:

_____ (days or date)

The time frame estimate is nonbinding upon the city, but the city is providing the estimate in good faith. Providing an estimated time frame does not relieve the city from any of the other requirements of this act.

- ☐
- Cost estimate
-
- ☐
- Bill

1. Labor Cost for

\$ _____

2. Labor Cost to Locate: \$10.50

\$10.50

3a. Labor Cost to Redact: \$

\$

3b. Contract Labor Cost to Redact: \$

\$

4. Copying/Duplication Cost: \$

\$

5. Mailing Cost: \$

\$

6a. Copying/Duplication of Records on Website: \$

\$

6b. Labor Cost for Copying Records on Website: \$

\$

6c. Mailing Costs for Records on Website: \$

\$

Subtotal

\$63.00

Fees:

<p>Waiver: Public Interest A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the city determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.</p> <p><input type="checkbox"/> All fees are waived <u>OR</u> <input type="checkbox"/> All fees are reduced by: _____ %</p>	<p>Subtotal Fees After Waiver:</p>	<p>\$ _____</p>
<p>Discount: Indigence A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by an individual who is entitled to information under this act and who:</p> <p>1) Submits an affidavit stating that the individual is indigent and receiving specific public assistance, OR</p> <p>2) If not receiving public assistance, stating facts showing inability to pay the cost because of indigence.</p> <p>If a requestor is ineligible for the discount, the public body shall inform the requestor specifically of the reason for ineligibility in the public body's written response. An individual is ineligible for this fee reduction if ANY of the following apply:</p> <p>(i) The individual has previously received discounted copies of public records from the same public body twice during that calendar year, OR</p> <p>(ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. A public body may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration.</p> <p><input type="checkbox"/> Eligible for Indigence Discount</p>	<p>Subtotal Fees After Discount (subtract \$20):</p>	<p>\$ _____</p>
<p>Discount: Nonprofit Organization A public record search must be made and a copy of a public record must be furnished without charge for the first \$20.00 of the fee for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the federal Protection and Advocacy for Individuals with Mental Illness Act, if the request meets ALL of the following requirements:</p> <p>(i) Is made directly on behalf of the organization or its clients.</p> <p>(ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Michigan Mental Health Code, 1974 PA 258, MCL 330.1931.</p> <p>(iii) Is accompanied by documentation of its designation by the state, if requested by the city.</p> <p><input type="checkbox"/> Eligible for Nonprofit Discount</p>	<p>Subtotal Fees After Discount (subtract \$20):</p>	<p>\$ _____</p>
<p>Deposit: Good Faith The city may require a good-faith deposit <u>in either its initial response or a subsequent response before providing the public records to the requestor if the entire fee estimate or charge authorized under this section exceeds \$50.00</u>, based on a good-faith calculation of the total fee. The deposit cannot exceed 1/2 of the total estimated fee.</p> <p>Percent of Deposit: 50 _____ %</p>	<p>Date Paid:</p> <p>_____</p>	<p>Deposit Amount Required:</p> <p>\$31.50 _____</p>
<p>Deposit: Increased Deposit Due to Previous FOIA Fees Not Paid In Full After a city has granted and fulfilled a written request from an individual under this act, if the city has not been</p>		

<p>paid in full the total amount of fees for the copies of public records that the city made available to the individual as a result of that written request, the city may require an increased estimated fee deposit of up to 100% of the estimated fee before it begins a full public record search for any subsequent written request from that individual if ALL of the following apply:</p> <p>(a) The final fee for the prior written request was not more than 105% of the estimated fee. (b) The public records made available contained the information being sought in the prior written request and are still in the city's possession. (c) The public records were made available to the individual, subject to payment, within the best effort estimated time frame given for the previous request. (d) Ninety (90) days have passed since the city notified the individual in writing that the public records were available for pickup or mailing. (e) The individual is unable to show proof of prior payment to the city. (f) The city calculates a detailed itemization, as required under MCL 15.234, that is the basis for the current written request's increased estimated fee deposit.</p> <p>A city can no longer require an increased estimated fee deposit from an individual if ANY of the following apply:</p> <p>(a) The individual is able to show proof of prior payment in full to the city, OR (b) The city is subsequently paid in full for the applicable prior written request, OR (c) Three hundred sixty-five (365) days have passed since the individual made the written request for which full payment was not remitted to the city.</p>	<p>Date Paid: _____</p>	<p>Percent Deposit Required: _____ %</p> <p>Deposit Required: \$ _____</p>
<p>Late Response Labor Costs Reduction If the city does not respond to a written request in a timely manner as required under MCL 15.235(2), the city must do the following:</p> <p>(a) Reduce the charges for labor costs otherwise permitted by 5% for each day the city exceeds the time permitted for a response to the request, with a maximum 50% reduction, if EITHER of the following applies:</p> <p>(i) The late response was willful and intentional, OR</p> <p>(ii) The written request included language that conveyed a request for information within the first 250 words of the body of a letter, facsimile, electronic mail, or electronic mail attachment, or specifically included the words, characters, or abbreviations for "freedom of information," "information," "FOIA," "copy", or a recognizable misspelling of such, or appropriate legal code reference for this act, on the front of an envelope, or in the subject line of an electronic mail, letter, or facsimile cover page.</p>	<p>Number of Days Over Required Response Time: _____</p> <p>Multiply by 5% _____</p> <p>= Total Percent Reduction: _____</p>	<p>Total Labor Costs \$ _____</p> <p>Minus Reduction \$ _____</p> <p>= Reduced Total Labor Costs \$ _____</p>
<p>The Public Summary of the city's FOIA Procedures and Guidelines is available free of charge from: Website: villageofclarkston.org _____ Email: clerk@villageofclarkston.org _____ Phone: (248) 625-1559 _____ Address: 375 Depot Road. Clarkston, MI 48346 _____</p> <p style="text-align: center;">Request Will Be Processed, But Balance Must Be Paid Before Copies May Be Picked Up, Delivered or Mailed</p>	<p>Date Paid: _____</p>	<p>Total Balance Due: \$31.50 _____</p>

(2015)

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

City of the Village of Clarkston

Fee Appeal Form

375 Depot Road
Clarkston, Michigan 48346
Phone: (248)625-1559

FOIA Appeal Form—To Appeal an Excess Fee
Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.: _____ **Date Received:** _____ **Check if received via:** ☐ Email ☐ Fax ☐ Other Electronic Method
Date of This Notice: _____ **Date delivered to junk/spam folder:** _____

Name	Phone
Firm/Organization	Fax
Street	Email
City	State Zip

(Please Print or Type)

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 city: _____

Record(s) You Requested: (Listed here or see attached copy of original request) _____

Reason(s) for Appeal:

The appeal must specifically identify how the required fee(s) exceed the amount permitted. You may use this form or attach additional sheets:

Requestor's Signature: _____ **Date:** _____

City Response:

The city must provide a response within 10 business days after receiving this appeal, including a determination or taking one 10-day extension.

City Extension: We are extending the date to respond to your FOIA fee appeal for no more than 10 business days, until _____ (month, day, year). Only one extension may be taken per FOIA appeal.

Unusual circumstances warranting extension: _____

If you have any questions regarding this extension, contact: _____

City Determination: ☐ Fee Waived ☐ Fee Reduced ☐ Fee Upheld

Written basis for city determination: _____

Notice of Requestor's Right to Seek Judicial Review

You are entitled under Section 10a of the Michigan Freedom of Information Act, MCL 15.240a, to appeal a FOIA fee that you believe exceeds the amount permitted under the city's written Procedures and Guidelines to the city council or to commence an action in the Circuit Court for a fee reduction within 45 days after receiving the notice of the required fee or a determination of an appeal to the city council. If a civil action is commenced in court, the city is not obligated to compete processing the request until the court resolves the fee dispute. If the court determines that the city required a fee that exceeded the permitted amount, the court shall reduce the fee to a permissible amount. (See back of this form for additional information on your rights.)

Signature of FOIA Coordinator: _____

Date: _____

FREEDOM OF INFORMATION ACT (EXCERPT)
Act 442 of 1976

15.240a.added Fee in excess of amount permitted under procedures and guidelines or MCL 15.234.
Sec. 10a.

(1) If a public body requires a fee that exceeds the amount permitted under its publicly available procedures and guidelines or section 4, the requesting person may do any of the following:

(a) If the public body provides for fee appeals to the head of the public body in its publicly available procedures and guidelines, submit to the head of the public body a written appeal for a fee reduction that specifically states the word "appeal" and identifies how the required fee exceeds the amount permitted under the public body's available procedures and guidelines or section 4.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, in the court of claims, for a fee reduction. The action must be filed within 45 days after receiving the notice of the required fee or a determination of an appeal to the head of a public body. If a civil action is commenced against the public body under this subdivision, the public body is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute. An action shall not be filed under this subdivision unless 1 of the following applies:

(i) The public body does not provide for appeals under subdivision (a).

(ii) The head of the public body failed to respond to a written appeal as required under subsection (2).

(iii) The head of the public body issued a determination to a written appeal as required under subsection (2).

(2) Within 10 business days after receiving a written appeal under subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Waive the fee.

(b) Reduce the fee and issue a written determination to the requesting person indicating the specific basis under section 4 that supports the remaining fee. The determination shall include a certification from the head of the public body that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and section 4.

(c) Uphold the fee and issue a written determination to the requesting person indicating the specific basis under section 4 that supports the required fee. The determination shall include a certification from the head of the public body that the statements in the determination are accurate and that the fee amount complies with the public body's publicly available procedures and guidelines and section 4.

(d) Issue a notice extending for not more than 10 business days the period during which the head of the public body must respond to the written appeal. The notice of extension shall include a detailed reason or reasons why the extension is necessary. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a).

(4) In an action commenced under subsection (1)(b), a court that determines the public body required a fee that exceeds the amount permitted under its publicly available procedures and guidelines or section 4 shall reduce the fee to a permissible amount. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located. The court shall determine the matter de novo, and the burden is on the public body to establish that the required fee complies with its publicly available procedures and guidelines and section 4. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If the requesting person prevails in an action commenced under this section by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by charging an excessive fee, the court shall order the public body to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction. The fine and any damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

(8) As used in this section, "fee" means the total fee or any component of the total fee calculated under section 4, including any deposit.

History: Add. 2014, Act 563, Eff. July 1, 2015

Exhibit E

From: smbisio@gmail.com <smbisio@gmail.com>
Sent: Friday, June 13, 2025 11:50 AM
To: 'Jonathan Smith' <smithj@villageofclarkston.org>
Cc: 'bisiolaw@gmail.com' <bisiolaw@gmail.com>; 'clerk@villageofclarkston.org' <clerk@villageofclarkston.org>
Subject: RE: FOIA Request of May 14, 2025

Dear Mr. Smith:

I've reviewed your response, which does not comply with the FOIA statute. Notwithstanding, and to avoid further delay on the part of the city, I'm sending the city a separate check from my bank for the full amount of the claimed labor costs - \$63.

Given that most of the requested documents are likely in pdf form and readily located by electronic search, I would like a copy of your time log showing starting and stopping times for your search to justify your final costs. This will account for any interruptions, as well as provide proof that the total amount was rounded down to the nearest increment. I'm especially doubtful that copying time will take half an hour in total for documents that likely don't require scanning or that it will take 2.5 hours to search for information on salaries that isn't already on the website and/or copies of grant applications that were recently submitted. I would also remind you that any documents available online should include the specific website location where the material can be found and there should be no cost for providing this information. MCL 15.234(5).

In the event that you have estimated an excessive fee, please forward a refund check to me at P.O. Box 1303, Clarkston, MI 48347.

Kindest regards,
Susan Bisio

Exhibit F

From: Jonathan Smith <smithj@villageofclarkston.org>

Sent: Tuesday, June 24, 2025 4:09 PM

To: smbisio@gmail.com

Cc: sylvanlawtr@gmail.com; Gerald Fisher <fisherg@cooley.edu>; Kristin Kolb <kkolb@rsjalaw.com>;

Angie Guillen <angieg@villageofclarkston.org>

Subject: RE: FOIA Request of May 14, 2025

Hello Susan,

We received your bank check yesterday in the mail for the full amount of \$63.00. Following is a breakdown of the time required (all rounded down to the nearest ¼ hour) for this FOIA request:

1. June 2, 2025, Jonathan Smith, .50 hours to locate the various documents submitted online for Community Project Funding through Lisa McClain's website
2. June 2, 2025, Jonathan Smith, 1.5 hours to attempt to obtain a copy of the online grant application submission for Congressionally Directed Spending through Elissa Slotkin's website
3. June 3, 2025, Jonathan Smith, .25 hours to locate the various documents submitted online for Michigan Legislative Funding through Mike Harris's office
4. June 3, 2025, Angela Guillen, .50 hours to copy/duplicate documents, where necessary, from the above three grant applications
5. June 3, 2025, Jonathan Smith, .25 hours to locate the requested compensation/benefit documents (that was subsequently lowered from \$36,883 to \$33,180)

In response to your FOIA request, attached are the following four documents:

1. A copy of the grant application and all supporting documents for the U.S. Community Project Funding program through U.S. Representative Lisa McClain.
2. A copy of the grant request form for the U.S. Congressionally Directed Spending program through U.S. Senator Elissa Slotkin. Note: It was not possible to obtain a copy of the full online submission, but it closely mirrors the above Community Project Funding application.
3. A copy of the funding request email for the Michigan Legislative Directed Spending program through Michigan Representative Mike Harris.
4. Copies of the following three documents pertaining to Salary & Benefit included in the 25/26 FY Budget:
 - a. A revised copy of the "Revisited / Modified Increases for the 25/26 FY" reflecting a revised Administrative Staff Salary increase of \$33,180 (the \$36,883 increase shown in the May 12th Five Challenge Areas presentation was subsequently lowered to \$33,180).
 - b. A copy of the salary schedule as presented in the May 27th Budget Public Hearing and in the June 9th General Appropriations Act
 - c. A copy of the 25/26 FY Administrative Staff Salary & Benefit schedule

With this submission, this FOIA request is now considered complete and closed.

Jonathan Smith

City Manager, City of the Village of Clarkston

375 Depot Road, Clarkston MI 48346

Email: smithj@villageofclarkston.org

Office: (248) 625-1559

Cell: (248) 909-3380

Jonathan Smith

From: Google Forms <forms-receipts-noreply@google.com>
Sent: Friday, April 4, 2025 10:51 AM
To: Jonathan Smith
Subject: Rep. Lisa C. McClain Fiscal Year 2026 Community Project Funding Requests



Thanks for filling out [Rep. Lisa C. McClain Fiscal Year 2026 Community Project Funding Requests](#)

Here's what was received.

[Edit response](#)

Rep. Lisa C. McClain Fiscal Year 2026 Community Project Funding Requests

Through Community Project Funding (CPF), Congresswoman McClain champions investments throughout the Michigan 9th Congressional District that improves infrastructure, advances economic development, and promotes job growth.

Individuals and organizations wishing to request federal funding through the Congressional appropriations process may submit an application by completing this form. Additional information may be requested to help justify your request. Please ensure all questions are filled out to their entirety.

NOTE: Submitting an application does not guarantee that your request will be funded by the Appropriations Committee. Guidance from the Appropriations Committee is subject to change, as is funds available through this program

The deadline to file applications is April 4 at 5:00 PM. Please do not hesitate to contact the Office with any questions at (202) 225-2106 or at MI09AppropsRequests@mail.house.gov.

Your email (smithj@villageofclarkston.org) was recorded when you submitted this form.

Section 1. Project Recipient

Requesting Entity *

City of the Village of Clarkston

Are you a non-profit or government entity?

For-profit entities are not eligible for CPF.

*

Yes

No

Head of Requesting Entity *

Mayor Sue Wylie

Requesting Entity Employer Identification Number (EIN) *

38-6032021

Project Point of Contact (POC) Name and Title *

Jonathan Smith, City Manager

Project POC Mailing Address *

375 Depot Road, Clarkston, MI 48346

Project POC Email Address *

smithhj@villageofclarkston.org

Project POC Phone Number *

248-909-3380

Project Name *

Downtown Clarkston Walkability and Pedestrian Safety

Project Website (if applicable)

N/A

Project Location (city, town) *

City of the Village of Clarkston

Project County

Please select all counties served by this project.

*

Huron County

Lapeer County

Macomb County

☒ Oakland County

Sanilac County

St. Clair County

Tuscola County

Section 2. Community Project Funding Request

Identify the Appropriations bill and account that your project best fits.

Please answer this question to the best of your ability. The FY25 CPF Guidance will provide additional information about these accounts and their requirements.

*

Transportation, Housing and Urban Development, and Related Agencies

Transportation, Housing and Urban Development, and Related Agencies

What account does this project best fit?

*

HUD; CDBG – Economic Development Initiatives (EDI)

DOT; Airport Improvement Program

DOT; Highway Infrastructure Projects

DOT; Transit Infrastructure Projects

DOT; Consolidated Rail Infrastructure and Safety Improvements

DOT; Port Infrastructure Development Program

Project Details

NOTE: The Build America, Buy America Act (P.L. 117-58 § 70914 (a)) requires that any infrastructure projects funded (in whole or in part) with federal assistance use only iron, steel, manufactured products, and construction materials produced in the United States. This requirement applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. If you are submitting a CPF request for funding for an infrastructure project, please be advised to take this requirement into account.

Amount Requested *

\$1,344,560.00

Project Purpose

Brief 1-2 sentence description of the project

*

Complete rehabilitation of Clarkston's downtown sidewalks, curbs and driveways (including bump-outs) to improve pedestrian walkability and safety.

Project Description

Please provide a detailed explanation of the project

*

Founded in 1832, the historic City of the Village of Clarkston is one of the smallest cities in the state, just ½ mile square with 928 residents. With just 2 vacant lots remaining, we are effectively built out, with a limited annual revenue of just \$860k. The downtown Main Street portion of our city is approximately 2 1/2 blocks long with five very popular restaurants, retail shops and other businesses. Pedestrian traffic is heavy throughout the year, especially in the summer months when our Social District is active. Because Main Street (M-15) travelling through the center of Clarkston is an MDOT state trunkline, thousands of vehicles and heavy trucks pass through our downtown every day, often conflicting with the pedestrian traffic. Concerning to our residents and City Council is the fact that vehicle-pedestrian accidents and vehicle-bicycle accidents are becoming more and more common in our downtown district. The City is seeking financial assistance through the 2026 Community Project Funding program to improve walkability, ADA compliance, and overall pedestrian safety in our downtown, effectively enabling the co-existence of heavy pedestrian and vehicular traffic. The proposed work will include all new sidewalks, curbing, and driveways in the downtown blocks that are safe to walk and compliant with ADA requirements. This project is consistent with the City's Master Plan. The existing sidewalks and driveways are badly deteriorated, sloping, and riddled with trip hazards. Approval by MDOT is being sought to allow sidewalk extensions (bump-outs) and pedestrian-activated caution signaling at the critical intersections. An itemized construction cost projection is attached, showing a total investment of \$1.681M.

Project Justification and Benefit to the Taxpayer *

There are several levels of project justification and taxpayer benefits: 1. The current downtown sidewalks are far from being ADA compliant, leaving the potential for significant fines and lawsuits if no action is taken. 2. New, pedestrian-friendly sidewalks will encourage residents and visitors to patronize our downtown businesses, especially those with disabilities, seniors, and parents with strollers, leading to higher business income. 3. Safer sidewalks and pedestrian crossings will greatly lessen the possibility of trip-and-fall accidents as well as vehicle-pedestrian accidents. Occurrences of both of these types of accidents have been increasing in recent years. 4. The proposed improvements will dramatically increase the aesthetic value and vibrancy of our downtown district while also increasing the business property values.

Jobs Created *

It is the City's hope that the proposed improvements will drive more customer traffic to our businesses, resulting in additional employment on a long-term basis. On a short-term basis, employment of 8-14 construction workers is anticipated.

Jobs that could be lost if project is not funded. *

If no improvements are made it is anticipated that the vibrancy of our downtown will no longer compete with other communities, resulting in a loss in business income and possible employment reductions.

Will the project, if funded, become self-sustaining after a defined period of time?

If yes, how long a period.

★

Yes, the proposed improvements will immediately become self-sustaining.

Estimated Start Date for the Project (if applicable)

MM

06
/
DD

01
/
YYYY

2026

Estimated Completion Date for the Project (if applicable)

MM

09
/
DD

30
6

/
YYYY
2026

Could the project proceed if the Appropriations Committee cannot fully fund the request? *

Yes. If the project is not funded or just partially funded, the City will proceed, albeit in phases spread over multiple fiscal year budgets.

Is any part of this request subject to outside approval?

If yes, by whom?

*

The City Council and Historic District Commission will need to approve.

Was this project submitted to Rep. McClain or another Congressional office in previous years?

If so, which years and to whom?

*

No. The City is considering, however, applying to the U.S. Senate's 2026 Congressional Directed Spending program through Michigan Senator Elissa Slotkin.

Has this project received federal funds in the past?

If yes, please identify when and what funding.

*

No.

If applicable, please identify the state plan on which this project is included.

For example, the State Transportation Improvement Plan, the Highway Improvement Plan, the Clean/Drinking Water State Revolving Fund Intended Use Plan, etc.

None

Project Ranking

If you are submitted multiple requests, please provide the prioritized ranking of this project.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10

Budget

Please indicate how current the following budget estimates are. *

MM
03
/
DD
28
/
YYYY
2025

Acquisition Cost

Please state dollar amounts numerically and the status of this phase (e.g. not yet begun, in progress, completed). For example, purchasing land.

★

No acquisitions required.

Soft Costs

Please state dollar amounts numerically and the status of this phase (e.g. not yet begun, in progress, completed). This should include information for design and permitting/planning.

★

\$240,100.00, not yet begun.

Construction/Renovation Costs

Please state dollar amounts numerically and the status of this phase (e.g. not yet begun, in progress, completed).

★

\$1,200,500.00, not yet begun.

Equipment Costs

Please state dollar amounts numerically and the status of this phase (e.g. not yet begun, in progress, completed).

★

None

Other Costs

Please state dollar amounts numerically and the status of this phase.

\$240,100.00 Contingency Costs (20%), not yet begun.

Have you received any matching funds? If so, how much and from what sources?

For example, \$50,000 from Town Budget or \$25,000 from U.S. Dept. of Agriculture Rural Development Grant.

*

No, not yet.

Total Matching Funds *

\$336,140.00 (20% of project from City funds)

Total Community Project Funding Request

This is the amount you are requesting Rep. McClain secure from the Appropriations Committee.

*

\$1,344,560.00 (80%)

Total Project Cost

Please state dollar amounts numerically.

*

\$1,680,700.00

Community Support and Supporting Documentation

If applicable, please list any members of Rep. McClain's staff with whom you have discussed this CPF request.

Have you submitted this request to other members in the Senate or House?

If so, please list their name(s).

*

No, but we are considering applying for CDS funding through Senator Elissa Slotkin.

Letters of Support Contact Information

Letters of Support are required for each CPF request. Please provide three signed letters of support from community stakeholders and/or leaders endorsing this request who are not affiliated with your organization. Please upload those letters below and include the full contact information for each letter of support, including contacts' email addresses.

Submitted files



Clarkston CPF Letter of Support - Rudy's - Jonathan Smith.pdf



Clarkston CPF Letter of Support - MSOC - Jonathan Smith.pdf



Clarkston CPF Letter of Support - SEMCOG - Jonathan Smith.pdf



Clarkston CPF Letter of Support - SCAMP - Jonathan Smith.pdf



Clarkston CPF Letter of Support - Mayor Wylie - Jonathan Smith.pdf

Supporting Documentation

Please attach any supporting documentation here, such as budget estimates, scope of work, site plans, etc.

Submitted files



Clarkston Sidewalk Improvements 2025 OOPCC 3-28-2025 - Jonathan Smith.pdf



Sidewalk & Driveway Photos with annotations - Jonathan Smith.pdf

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City of the Village of Clarkston – Downtown Sidewalk



Sidewalk Slope

Sidewalk slope greatly exceeds the 2% ADA allowances.

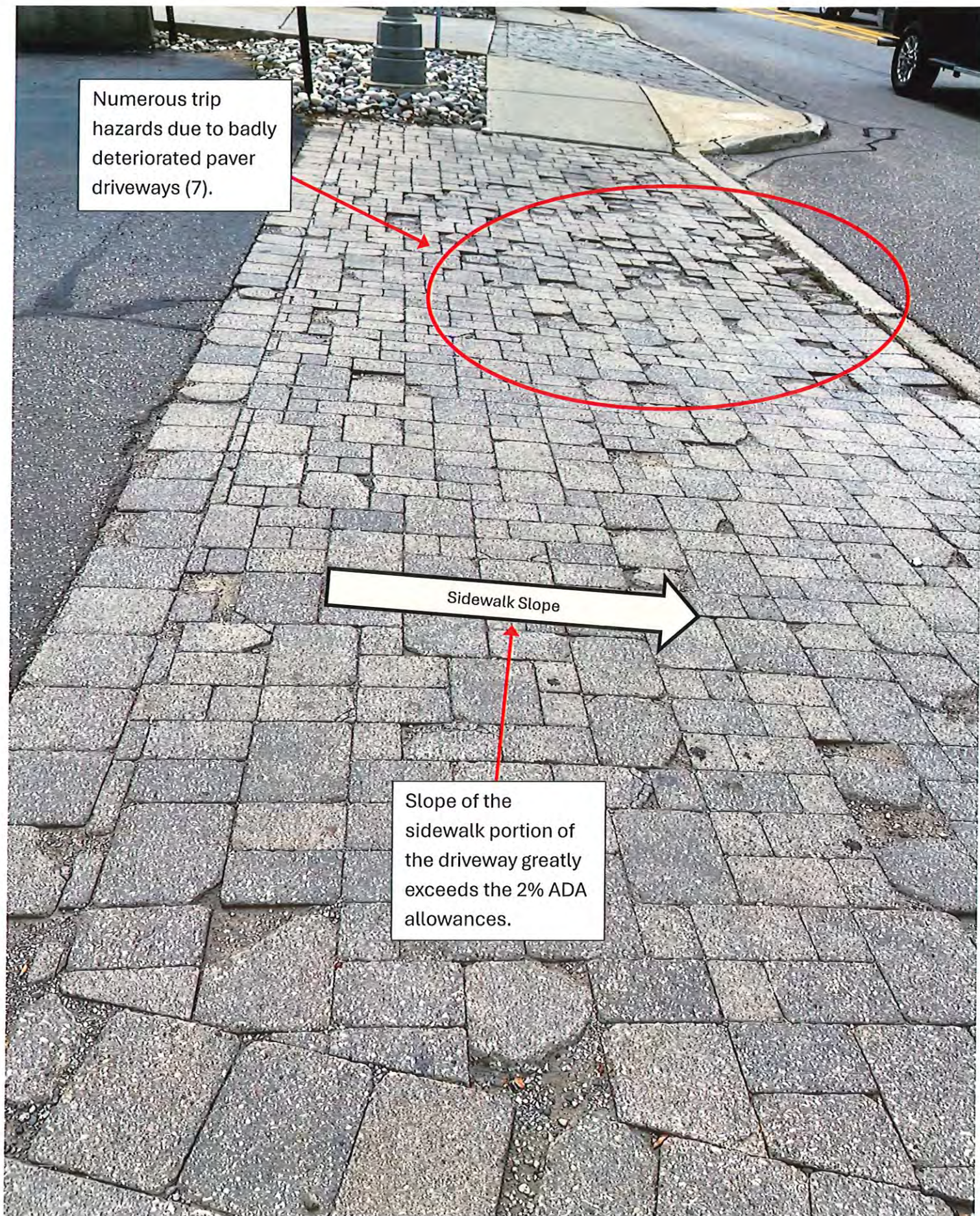
Significant trip hazards due to sunken tree grates.

City of the Village of Clarkston – Downtown Driveway

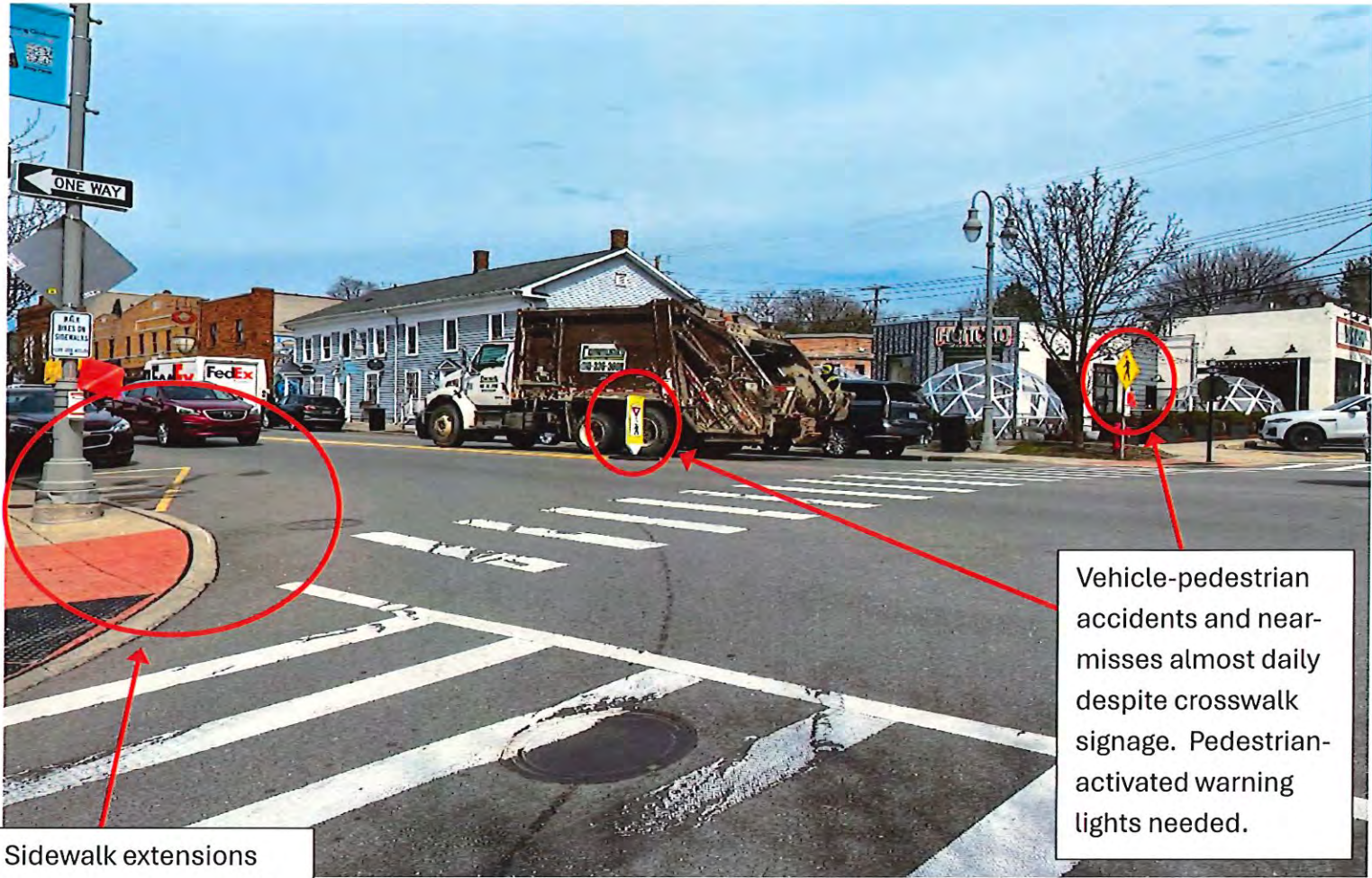
Numerous trip hazards due to badly deteriorated paver driveways (7).

Sidewalk Slope

Slope of the sidewalk portion of the driveway greatly exceeds the 2% ADA allowances.



City of the Village of Clarkston – Downtown Main Street Crosswalk



Sidewalk extensions (bump-outs) needed to improve pedestrian visibility at crosswalks.



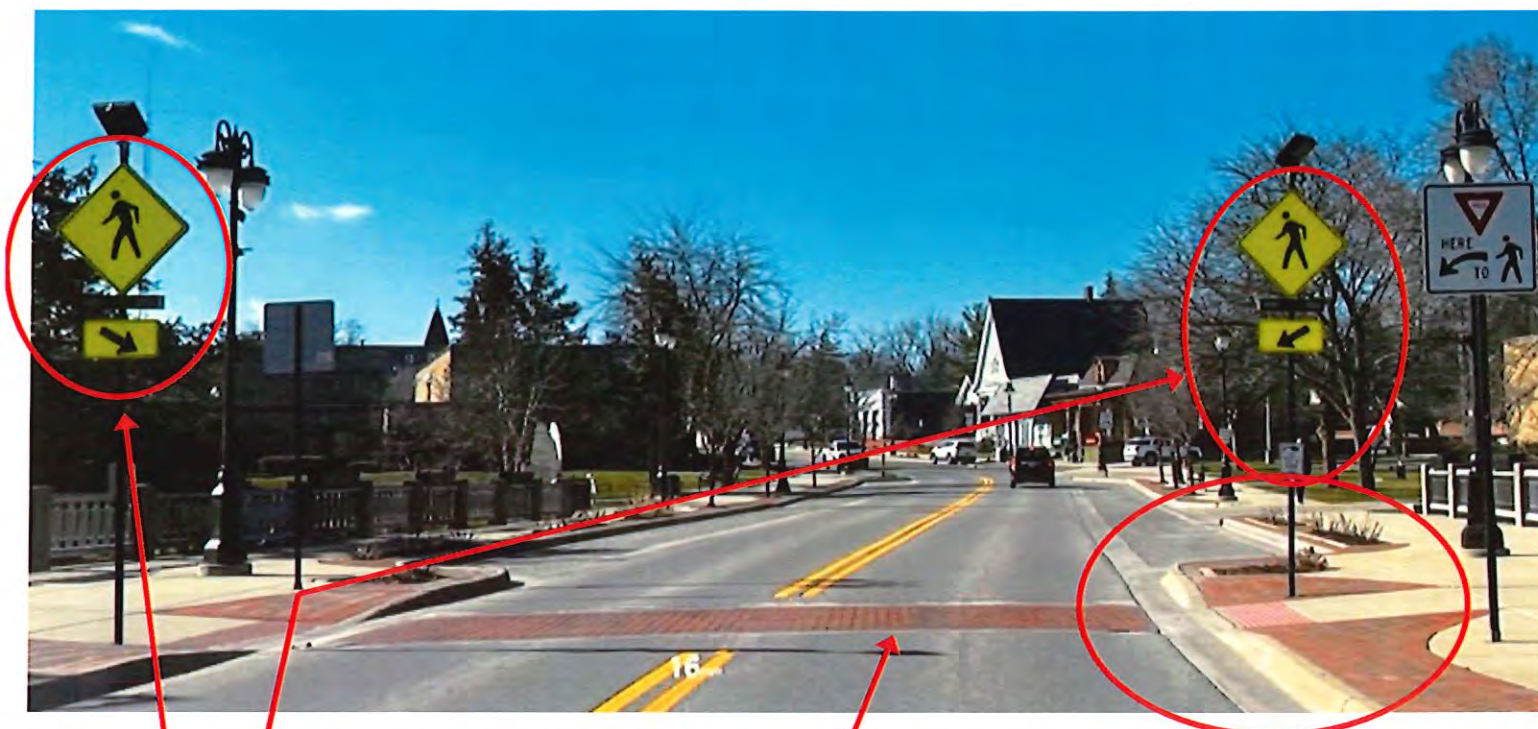
“See-Me” Crossing Flags Made Available to Pedestrians with Little or No Improvement



(While taking pictures of this crosswalk, our Parking Enforcement Officer – wearing a safety vest and carrying a “See-Me” Flag - was almost hit.)



Example of Pedestrian-Activated Crosswalk Signals and Sidewalk Extensions in Fenton, MI



Pedestrian-Activated crosswalk lights recommended to warn drivers in high-pedestrian areas.

Crosswalk material differentiation helps make it clear that pedestrians are crossing.

Sidewalk extensions (bump-outs) needed to improve pedestrian visibility at crosswalks.



City of the Village of Clarkston
Main Street Sidewalk Rehabilitation Project
Sidewalk Rehabilitation (Selected Option DRAFT)
Opinion of Probable Construction Cost (Original March 2025)

F&V Project #

LOCATION: Main Street at North side of Waldon to 300 Ft North of Washington

ITEM #	DESCRIPTION	UNIT	ESTIMATED QUANTITY	ESTIMATED UNIT PRICE	ESTIMATED AMOUNT
1	General Cond., Bonds, Insurance and Mobilization	LS	1	\$125,000.00	\$125,000.00
2	Traffic Control	LS	1	\$75,000.00	\$50,000.00
3	Soil Erosion & Sedimentation Control	LS	1	\$10,000.00	\$10,000.00
4	Remove and Replace Curb and Gutter	FT	2200	\$75.00	\$165,000.00
5	HMA Hand Patching along Gutter	LS	1	\$30,000.00	\$30,000.00
6	Grade Rehabilitation of Exist Commercial Drive and Concrete Base	EA	10	\$17,500.00	\$175,000.00
7	Remove and Replace 4 ft Sidewalk	Sqft	14500	\$20.00	\$290,000.00
8	Remove and Replace Sidewalk Ramp (Incl ADA Detectable Warning Mat Repl)	Sqft	1100	\$55.00	\$60,500.00
9	Drainage Structure Adjustments, Rehab, or Alterations	LS	1	\$65,000.00	\$65,000.00
10	Tree Grate Settlement Correction & Resetting (incl Tree Rem at Mult. Loc.)	LS	1	\$75,000.00	\$75,000.00
11	Bump Out Island, Signage & Crosswalk Safety Upgrade at Depot & Main	LS	1	\$100,000.00	\$100,000.00
12	Drainage Correction at NW of Main & Washington (incl concrete damage)	LS	1	\$35,000.00	\$35,000.00
13	Pavement Markings	LS	1	\$10,000.00	\$10,000.00
14	Restoration	LS	1	\$10,000.00	\$10,000.00

Total Estimate of Probable Construction Cost	\$1,200,500.00
Undeveloped Details & Construction Contingency (20%)	\$240,100.00
Est. Design & Construction Engineering & Administration (20%)	\$240,100.00
Total Estimate of Probable Construction Cost	\$1,680,700.00

The Design Professional has no control over costs or the price of labor, equipment or materials, or over the Contractor's method of pricing.

Bid prices may vary significantly based on these factors and market conditions at time of bid.

Rudy's Prime Steakhouse



9 S Main Street
Clarkston, MI 48362
(248) 224-4442
robert@rudysmarket.com

Apr 2, 2025

Jonathan Smith
City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

Subject: Letter of Support for Downtown Walkability, ADA Compliance, and Pedestrian Safety Improvements

Dear Mr. Smith,

As the owner of Clarkston's newest restaurant, Rudy's Prime Steakhouse, I am writing to express my strong support for the proposed improvements to the City's downtown walkability, ADA compliance and pedestrian safety. Replacing our deteriorating and non-compliant sidewalks and driveways is very important to pedestrian safety, but also important to enhance the overall experience of the patrons to our restaurant and our neighboring businesses.

The sidewalks and driveways in Clarkston currently pose significant hazards to pedestrians and customers, particularly those with mobility challenges. Uneven and deteriorating walkways not only create safety risks but also discourage foot traffic, which is vital to local businesses like mine. Addressing these issues will foster a more welcoming and pedestrian-friendly environment, encouraging more people to visit and support businesses in the area.

Additionally, improving our sidewalks and driveways aligns with our city's commitment to accessibility and compliance with ADA regulations. By investing in this project, the municipality is demonstrating its dedication to creating an economically vibrant community. The enhancements will not only improve pedestrian safety but also contribute to the long-term prosperity of local businesses, increasing customer satisfaction and overall economic activity.

I fully support the efforts of the City of the Village of Clarkston in prioritizing this initiative and urge the necessary allocation of resources for its successful execution. My restaurant is committed to working alongside the community and local officials to ensure the success of this project and will gladly participate in outreach or advocacy efforts if needed.



Thank you for your leadership and commitment to improving our community's infrastructure. I look forward to seeing this project move forward and the positive impact it will bring to both businesses and residents alike. Please feel free to reach out if further support is needed.

Sincerely,

Robert Esshaki

Robert Esshaki
Owner, Rudy's Prime Steakhouse



March 28, 2025

Jonathan Smith
City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

Subject: Letter of Support for Downtown Walkability, ADA Compliance, and Pedestrian Safety Improvements

On behalf of Main Street Oakland County, the nation's first and only countywide Coordinating Main Street Program, we lend our support to local governments such as Clarkston to develop their downtowns into vibrant, successful districts that serve as the heart of their communities. In keeping with this mission, I am writing to express our full support for the City of the Village of Clarkston and its proposed improvements to the downtown sidewalks, curbing, and driveways.

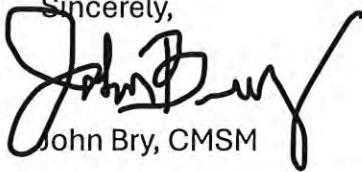
These critical infrastructure upgrades are designed to improve walkability, enhance ADA compliance, and ensure pedestrian safety in the heart of Clarkston's historic downtown. This project aligns perfectly with MSOC's vision, and we commend the City for prioritizing both accessibility and safety.

The need for these improvements is clear. Clarkston's downtown Main Street, spanning approximately 2.5 blocks, is home to a vibrant mix of restaurants, retail shops, and other local businesses. Throughout the year—especially in the summer months, when the City's Social District is active—pedestrian traffic surges. At the same time, Main Street (M-15) remains a heavily trafficked MDOT state trunkline, with thousands of vehicles and heavy trucks passing through daily. The coexistence of dense pedestrian and vehicular activity makes these upgrades not only necessary but urgent.

Communities across Oakland County have consistently demonstrated that attractive, accessible, and pedestrian-friendly downtown environments are essential to economic vitality and business success. I am confident that Clarkston's proposed improvements will have the same positive effect, making the city an even more appealing destination for business owners, visitors, and residents alike.

We are especially supportive of the City's recent decision to pursue a Congressional Directed Spending grant through the U.S. House of Representatives. This funding, which would cover an estimated \$1.5 million project cost, would allow Clarkston to fully realize this transformative plan. We thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John Bry", with a stylized flourish at the end.

John Bry, CMSM

Administrator, Local Business Development and Main Street Program Coordinator

Oakland County Department of Economic Development

BRYJ@OAKGOV.COM
(248) 858-5444



April 1, 2025

Mr. Jonathan Smith, City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

RE: Letter of Support, Downtown Walkability, ADA, and Pedestrian Safety Improvements

This letter confirms support from SEMCOG, the Southeast Michigan Council of Governments, for City of the Village of Clarkston's request for Downtown Walkability, ADA, and Pedestrian Safety Improvements. This project will support the downtown Main Street portion of the historic City of the Village of Clarkston, which is approximately 2 1/2 blocks long, with five very popular restaurants, retail shops and other businesses.

SEMCOG is a regional planning partnership that supports coordinated local planning among over 170 units of local government across seven counties in Southeast Michigan. SEMCOG engages regional stakeholders and analyzes data related to the environment and parks to ensure that the region's public spaces and natural resources meet the quality of life, health, and accessibility needs of residents. This project will improve walkability, ADA compliance, and overall pedestrian safety in the downtown City of the Village of Clarkston, effectively enabling the co-existence of heavy pedestrian and vehicular traffic. The work will include all new sidewalks, curbing, and driveways in the downtown blocks that are safe to walk and compliant with ADA requirements. If allowed by MDOT, sidewalk extensions (bump-outs) and pedestrian-activated caution signaling will be included.

Investing in this project will improve quality of life for residents in City of the Village of Clarkston with positive impacts for the broader Clarkston communities, while also supporting SEMCOG's vision for the Southeast Michigan region. Please accept this letter of support in consideration of funding for this initiative.

This project is consistent with the policies of SEMCOG's long-range transportation plan, Vision 2050, as it will rehabilitate critical community assets and preserve economic connections and development. While this project cannot be added to the Transportation Improvement Program (TIP) until a written notice of funding award has been received, SEMCOG is prepared to act quickly and include the project in the TIP as soon as funds are identified.

Please contact me at 313-324-3350 or oleary@semcog.org if you have any questions or require additional information.

Sincerely,

Amy O'Leary
Executive Director

1001 Woodward Ave., Suite 1400 • Detroit, Michigan 48226 • (313) 961-4266 • Fax (313) 961-4869 • semcog.org

Gwen Markham
Chairperson
Commissioner,
Oakland County

Anne Marie Graham-Hudak
Vice Chairperson
Supervisor,
Canton Township

Laura Kropp
Vice Chairperson
Mayor, City of
Mount Clemens

Joe LaRussa
Vice Chairperson
Mayor, City of
Farmington

Diana McKnight-Morton
Vice Chairperson
Trustee, Washtenaw
Community College

Frank Viviano
Vice Chairperson
Supervisor,
Macomb Township

Amy O'Leary
Executive Director



Amy Laboissonniere, President
Clarkston Area Chamber of Commerce
5856 S. Main
Clarkston, MI 48346

April 2, 2025

Jonathan Smith
City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

Subject: Letter of Support for Downtown Walkability, ADA Compliance, and Pedestrian Safety Improvements

Dear Mr. Smith,

On behalf of the Clarkston Area Chamber of Commerce, I am pleased to extend my unwavering support for the proposed improvements to the City of Clarkston's downtown walkability, ADA compliance and pedestrian safety. As an advocate for our local businesses, I cannot emphasize enough the importance of providing accessible, walkable and safe sidewalks in the business district. It is critically important to the success of any business.

In a time when Amazon and big-box stores are challenging the survival of the small businesses on a daily basis, we must find every way possible to encourage our community to "shop local". One of the ways we can do that is to offer walkable, ADA compliant and

pedestrian-friendly sidewalks and driveways in our downtown district. We simply cannot afford to lose a single customer due to crumbling and unsafe sidewalks and driveways!

I feel strongly that the proposed project will be a significant investment by the municipality in our local economy, contributing to the long-term success and vitality of our business district. I am thankful that the City of the Village of Clarkston recognizes the importance of this initiative and urge that the resources needed for a successful execution are deployed. If I or the Chamber of Commerce may be of any assistance, please do not hesitate to ask.

Sincerely,

A handwritten signature in blue ink, reading "Amy Laboissonniere". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Amy Laboissonniere, President
Clarkston Area Chamber of Commerce
amyl@indtwp.com



Executive Board

President

Barb Rush

1st Vice President

Zac Bell

2nd Vice President

Steve Kremer

Secretary

Jennifer Krausman

Treasurer

Derek Werner

Past President

Anne Evans

Board Members

Lindsey Baker

Matthew Evans

Joe Fabrizio

Emily Ford

Rich Glenn

Tara Hansen

Emily Hawkins

Dawn Horner

Al Kuhn

Paige Mason

Megan O'Neill- Nini

Jeff Roeser

Andrea Rouland

Becky Rumph- Pender

Sue Welker

Ex-Officio Member

Stacey Theophelis

Staff

Amy Darnell

Executive Director

Maddy Nalli

Executive Assistant

April 2, 2025

Jonathan Smith

City Manager

City of the Village of Clarkston

375 Depot Road

Clarkston, MI 48346

Subject: Letter of Support for Downtown Walkability, ADA Compliance, and Pedestrian Safety Improvements

Dear Mr. Smith,

The Clarkston SCAMP organization is excited to hear about your proposed improvements to downtown Clarkston, making the sidewalks walkable and ADA compliant. This is very important to Clarkston's many residents and visitors. Possibly even more important are the proposed improvements for pedestrian safety, a long overdue improvement given the many vehicles and large trucks that utilize Main Street (M-15) on a regular basis.

On behalf of the Clarkston SCAMP organization, please accept our full support and endorsement for this exciting and much needed project.

Thank you and please let me know if I may be of any assistance.

Sincerely,

Barb Rush, President

North Oakland SCAMP Funding Corporation

nosfc@clarkston.k12.mi.us

North Oakland SCAMP Funding Corporation is a 501©3 organization.

Your gift is tax deductible as provided by law.

No goods or services were provided by the organization in return for the contribution.

Please consider this letter as a receipt for your tax deductible donation



Don't forget to follow Clarkston SCAMP on Facebook and Instagram!



Sue Wylie, Mayor of the City of the Village of Clarkston

375 Depot Road

Clarkston, MI 48346

wylies@villageofclarkston.org

April 1, 2025

Jonathan Smith, City Manager

City of the Village of Clarkston

375 Depot Road

Clarkston, MI 48346

Subject: Letter of Support for Downtown Walkability, ADA Compliance, and Pedestrian Safety Improvements

Dear Jonathan,

As Mayor of the City of the Village of Clarkston, I am proud to express my full support for the proposed downtown sidewalk and driveway improvement project with a goal of replacing the non-compliant and crumbling sidewalks and driveways while also enhancing crosswalk safety throughout downtown area. I am very confident that this initiative will be a critical investment in the well-being of our residents and visitors, the vibrancy of our local businesses, and the overall accessibility of our City.

Most importantly, the proposed project will ensure safer crosswalks in our downtown, which is essential to protecting pedestrians and fostering a walkable, connected City. Several recent pedestrian accidents in the downtown area has me very concerned about our responsibility to provide a safe community in which our residents can live. Our City Council is committed to providing and maintaining a pedestrian-friendly community.

I commend the efforts of the City staff in their efforts to make this project a priority. The City of Village of Clarkston is committed to supporting this initiative in every way possible,

and we welcome collaboration with community members, businesses, and stakeholders to ensure its success. I look forward to seeing this project come to fruition and the lasting benefits it will bring to our community. Please do not hesitate to reach out if further support is needed.

Sincerely,

A handwritten signature in black ink that reads "Sue Wylie". The script is cursive and fluid, with the first name "Sue" and last name "Wylie" clearly distinguishable.

Sue Wylie
Mayor of the City of the Village of Clarkston
wylies@villageofclarkston.org

Rep. Lisa C. McClain Fiscal Year 2026 Community Project Funding Requests

Thank you for submitting an application for FY2025 Community Project Funding to Representative Lisa McClain. We have received your submission and will be in touch with any follow-up needed. Should you have any questions in the meantime, please contact (202) 225-2106 or MI09AppropsRequests@mail.house.gov.

Regards,

Office of Rep. Lisa C. McClain

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**FY26 CONGRESSIONALLY-DIRECTED SPENDING (CDS) SUBCOMMITTEE
REQUEST FORM**

THE OFFICE OF U.S. SENATOR ELISSA SLOTKLIN

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT SUBCOMMITTEE

This form serves as the supplemental, required portion of the CDS applications where prospective grantees provide further specifics based on the selected subcommittee account. For more information on program accounts available for CDS, please click [here](#). Please submit this completed form, alongside any additional application materials, as well as direct any questions to Slotkin_CDS@Slotkin.Senate.gov.

- 1) Please identify the account on this bill where you will be seeking funds and answer the questions below the selected account where applicable:

- ☐ a) **Transportation Planning, Research, and Development (TPR&D)**
- i) **Note:** CDS recipients in this account are provided to grantees on a reimbursement basis – no recipients will receive an upfront disbursement from DOT or HUD. CDS recipients will be required to request drawdowns from their grant as eligible expenses are incurred. Eligible activities for TPR&D do not include planning for specific local highway, transit, rail, or port projects. CDS under this account can be used for national or regional research and development projects and any other transportation research projects eligible under title 23 or title 49 of United States Code.
- ☐ b) **Grants-in-Aid for Airports (Airport Improvement Program or AIP)**
- i) **Note:** CDS recipients in this account are provided to grantees on a reimbursement basis – no recipients will receive an upfront disbursement from DOT or HUD. CDS recipients will be required to request drawdowns from their grant as eligible expenses are incurred. For a list of eligible airport project activities, click [here](#). Federal cost-share requirements apply. Under 'Project Website' please include a link to the airport master plan that includes the requested project.
- ii) ***Airport name**
- ☐ c) **Highway Infrastructure Programs (HIP)**
- i) **Note:** CDS recipients in this account are provided to grantees on a reimbursement basis – no recipients will receive an upfront disbursement from DOT or HUD. CDS recipients will be required to request drawdowns from their grant as eligible expenses are incurred. Eligible activities include highway and bridge construction projects, planning,

environmental review, design, and right-of-way acquisition. Operational expenses are not eligible.

- ii) ***If your project is not on the Statewide Transportation Improvement Program (STIP) or Transportation Improvement Program (TIP), has the applicant attached a letter of support from the State DOT, indicating eligibility and plans to include the project on the STIP or TIP at a later date? Yes**

☐ d) **Transit Infrastructure Grants (TIG)**

- i) **Note:** CDS recipients in this account are provided to grantees on a reimbursement basis – no recipients will receive an upfront disbursement from DOT or HUD. CDS recipients will be required to request drawdowns from their grant as eligible expenses are incurred. Eligible activities can be found here.
- ii) ***If your project is not on the Statewide Transportation Improvement Program (STIP) or Transportation Improvement Program (TIP), has the applicant attached a letter of support from the State DOT, indicating eligibility and plans to include the project on the STIP or TIP at a later date? Yes**
- iii) ***What is the status of this project's planning and environmental work?**

☐ e) **Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grants**

- i) **Note:** CDS recipients in this account are provided to grantees on a reimbursement basis – no recipients will receive an upfront disbursement from DOT or HUD. CDS recipients will be required to request drawdowns from their grant as eligible expenses are incurred.
- ii) ***If your project is not on the State Rail Plan, has the applicant attached a letter of support from the State DOT, indicating eligibility and plans to include the project on the State Rail Plan at a later date? Yes**
- iii) ***What is the status of this project's planning and environmental work?**

☐ f) **Port Infrastructure Development Program (PIDP) Grants**

- i) **Note:** CDS recipients in this account are provided to grantees on a reimbursement basis – no recipients will receive an upfront disbursement from DOT or HUD. CDS recipients will be required to request drawdowns from their grant as eligible expenses are incurred.
- ii) ***Is the project eligible under the Port Infrastructure Development Program? Please specify the eligible use.**
- iii) ***Is the recipient an eligible recipient under the Port Infrastructure Development Program? Yes**

- iv) ***Is the project at a small port, as defined by the Port Infrastructure Development Program? Yes**
- v) ***Is the project in a rural area, as defined by the Port Infrastructure Development Program? Yes**
- vi) ***Does this project include automated equipment? Please describe any job changes that will result from the project, including supporting evidence demonstrating and certifying the project will not directly result in a net loss of jobs or degradation of job quality.**

☒ g) **Community Development Fund for Economic Development Initiatives (EDI)**

- i) **Note:** CDS recipients in this account are provided to grantees on a reimbursement basis – no recipients will receive an upfront disbursement from DOT or HUD. CDS recipients will be required to request drawdowns from their grant as eligible expenses are incurred. Eligible activities for EDI CDS include acquisition of real property; construction, rehabilitation, and improvements to affordable housing; blight removal or remediation; public housing modernization; and construction, rehabilitation, and

improvements of public facilities, such as neighborhood centers, parks, and shelter for persons with special needs such as survivors of domestic violence and people experiencing homelessness. Buildings for the general conduct of government are not eligible.

- ii) ***Is the CDS applicant prepared to comply with Build America Buy America preferences, the National Environmental Policy Act, HUD's NEPA-implementing regulations, and environmental review requirements? Yes**

(1) Note: EDI recipients are subject to all general federal requirements. Learn more about these requirements [here](#).

- iii) ***Describe the current status of the project, including the environmental review work and if the grantee has designated a Responsible Entity, where relevant.**

(1) Note: The Responsible Entity requirement is only required for nonprofit applicants.

See attached document.

g) Community Development Fund for Economic Development Initiatives (EDI)

iii) *Describe the current status of the project, including the environmental review work and if the grantee has designated a Responsible Entity, where relevant.

To date, the project scope and cost estimating phases have been completed. A National Environment Policy Act (NEPA) assessment has not yet been started.

Jonathan Smith

From: Jonathan Smith
Sent: Thursday, April 24, 2025 4:15 PM
To: 'mikeharris@house.mi.gov'
Subject: Michigan Legislative Directed Spending Program
Attachments: Project Abstract 4-24-25.pdf; Sidewalk & Driveway Photos with annotations.pdf; Clarkston Sidewalk Improvements 2025 OOPCC 3-28-2025.pdf; Letters of Support.pdf

Hello Mike,

As discussed earlier this week, the City of the Village of Clarkston is interested in applying for possible funding through the Michigan Legislative Directed Spending Program. Please find the following attached documents for your consideration:

1. A short and long description of the project proposal
2. Photos of the as-is sidewalks and driveways with annotations
3. A detailed estimate of the project costs
4. Letters of Support from local leaders

The total project cost identified in the estimate document is \$1.68M with the expectation that the City would fund 20% (\$336K), meaning that we are seeking a total of \$1.34M in grant funding (possibly multiple sources). We have already applied for Community Project Funding through U.S. Representative Lisa McClain's office and plan on applying for Congressionally Directed Spending through U.S. Senator Elissa Slotkin's office.

In our conversation this week you asked if MDOT had approved the installation of bump outs (sidewalk extensions) in M-15. While MDOT has previously discussed this option with us as part of a Complete Streets planning discussion, I reached out to them this week asking for something in writing. Unfortunately, I do not have that document at this time but will forward that along as soon as it is available.

Thank you for your consideration! Let me know if you have any questions or require additional project details.

Jonathan Smith

City Manager, City of the Village of Clarkston
375 Depot Road, Clarkston MI 48346
Email: smithj@villageofclarkston.org
Office: (248) 625-1559
Cell: (248) 909-3380

City of the Village of Clarkston

Michigan Legislative Directed Spending Proposal

Short Description

Complete rehabilitation of Clarkston's downtown sidewalks, curbs and driveways (including bump-outs) to improve pedestrian walkability and safety.

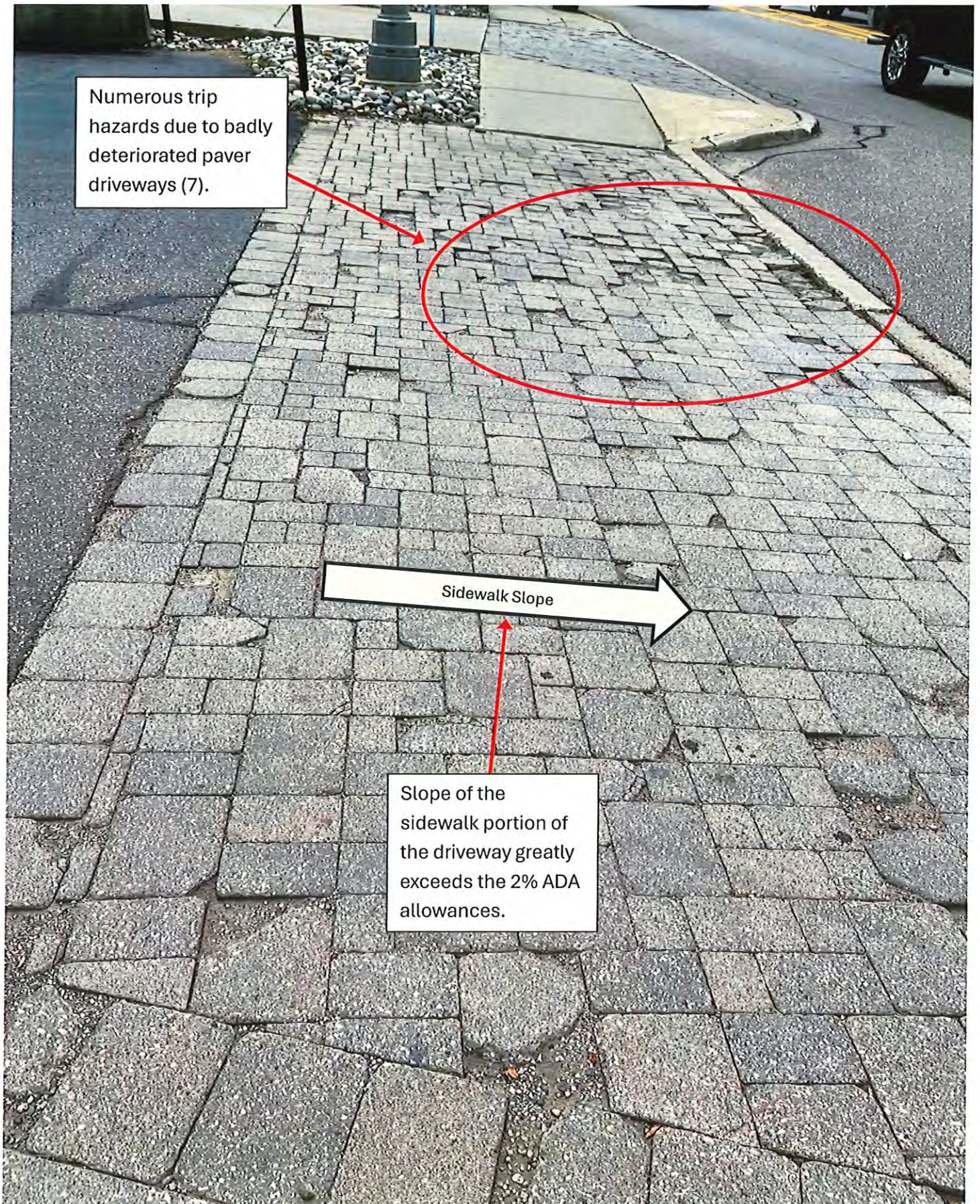
Long Description

Founded in 1832, the historic City of the Village of Clarkston is one of the smallest cities in the state, just ½ mile square with 928 residents. With just 2 vacant lots remaining, we are effectively built out, with a limited annual revenue of just \$860k.

The downtown Main Street portion of our city is approximately 2 1/2 blocks long with five very popular restaurants, retail shops and other businesses. Pedestrian traffic is heavy throughout the year, especially in the summer months when our Social District is active. Because Main Street (M-15) travelling through the center of Clarkston is an MDOT state trunkline, thousands of vehicles and heavy trucks pass through our downtown every day, often conflicting with the pedestrian traffic. Concerning to our residents and City Council is the fact that vehicle-pedestrian accidents and vehicle-bicycle accidents are becoming more and more common in our downtown district. The City is seeking financial assistance through the 2026 Community Project Funding program to improve walkability, ADA compliance, and overall pedestrian safety in our downtown, effectively enabling the co-existence of heavy pedestrian and vehicular traffic. The proposed work will include all new sidewalks, curbing, and driveways in the downtown blocks that are safe to walk and compliant with ADA requirements. The existing sidewalks and driveways are badly deteriorated, sloping, and riddled with trip hazards. Approval by MDOT is being sought to allow sidewalk extensions (bump-outs) and pedestrian-activated caution signaling at the critical intersections.

While this project is listed within the City's Master Plan, the estimated \$1.5M cost far exceeds the City's ability to fund a project of this size in the next 5-10 years.

City of the Village of Clarkston – Downtown Driveway



Numerous trip hazards due to badly deteriorated paver driveways (7).

Sidewalk Slope

Slope of the sidewalk portion of the driveway greatly exceeds the 2% ADA allowances.

City of the Village of Clarkston – Downtown Sidewalk



City of the Village of Clarkston – Downtown Main Street Crosswalk



Sidewalk extensions (bump-outs) needed to improve pedestrian visibility at crosswalks.



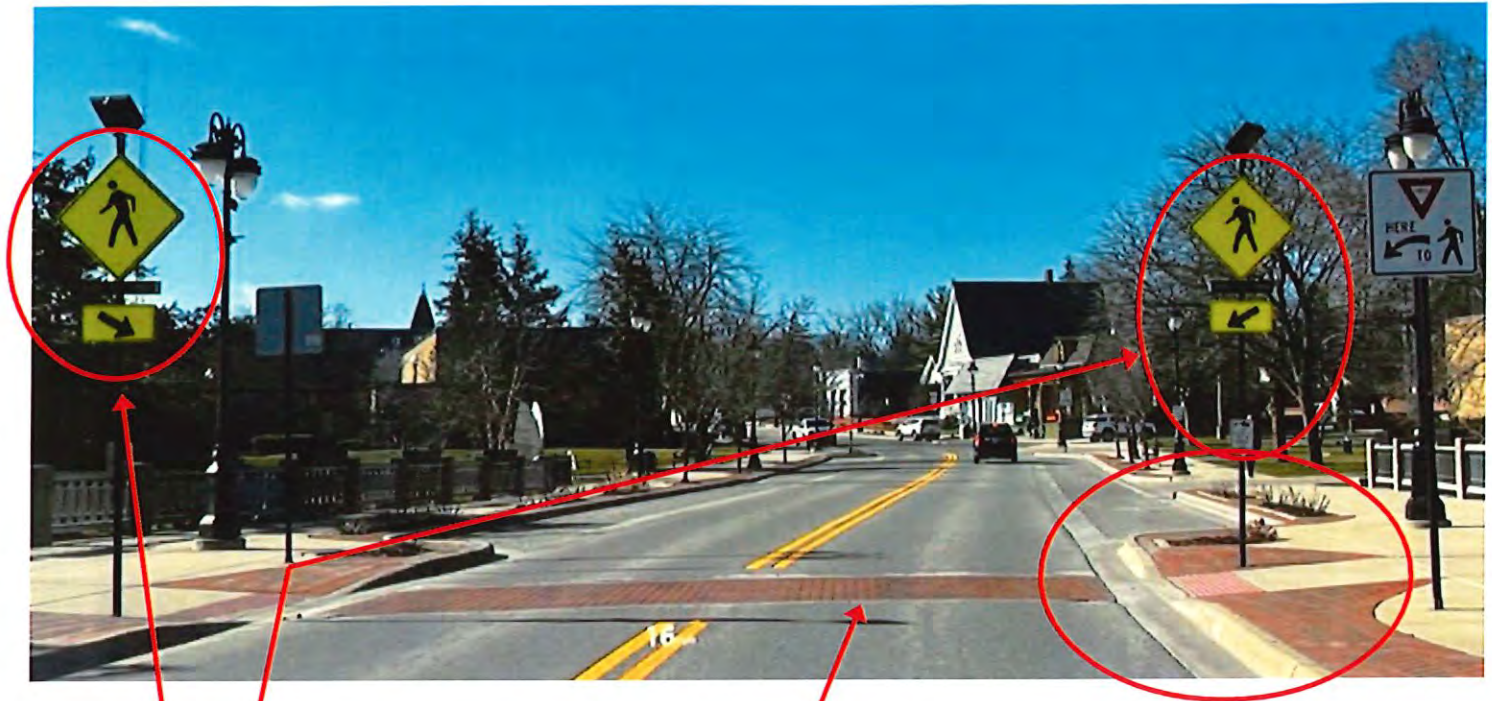
“See-Me” Crossing Flags Made Available to Pedestrians with Little or No Improvement



(While taking pictures of this crosswalk, our Parking Enforcement Officer – wearing a safety vest and carrying a “See-Me” Flag - was almost hit.)



Example of Pedestrian-Activated Crosswalk Signals and Sidewalk Extensions in Fenton, MI



Pedestrian-Activated crosswalk lights recommended to warn drivers in high-pedestrian areas.

Crosswalk material differentiation helps make it clear that pedestrians are crossing.

Sidewalk extensions (bump-outs) needed to improve pedestrian visibility at crosswalks.



3/28/2025

City of the Village of Clarkston
Main Street Sidewalk Rehabilitation Project
Sidewalk Rehabilitation (Selected Option DRAFT)
Opinion of Probable Construction Cost (Original March 2025)

F&V Project #

LOCATION: Main Street at North side of Waldon to 300 Ft North of Washington

ITEM #	DESCRIPTION	UNIT	ESTIMATED QUANTITY	ESTIMATED UNIT PRICE	ESTIMATED AMOUNT
1	General Cond., Bonds, Insurance and Mobilization	LS	1	\$125,000.00	\$125,000.00
2	Traffic Control	LS	1	\$75,000.00	\$50,000.00
3	Soil Erosion & Sedimentation Control	LS	1	\$10,000.00	\$10,000.00
4	Remove and Replace Curb and Gutter	FT	2200	\$75.00	\$165,000.00
5	HMA Hand Patching along Gutter	LS	1	\$30,000.00	\$30,000.00
6	Grade Rehabilitation of Exist Commercial Drive and Concrete Base	EA	10	\$17,500.00	\$175,000.00
7	Remove and Replace 4 ft Sidewalk	Sqft	14500	\$20.00	\$290,000.00
8	Remove and Replace Sidewalk Ramp (Incl ADA Detectable Warning Mat Repl)	Sqft	1100	\$55.00	\$60,500.00
9	Drainage Structure Adjustments, Rehab, or Alterations	LS	1	\$65,000.00	\$65,000.00
10	Tree Grate Settlement Correction & Resetting (incl Tree Rem at Mult. Loc.)	LS	1	\$75,000.00	\$75,000.00
11	Bump Out Island, Signage & Crosswalk Safety Upgrade at Depot & Main	LS	1	\$100,000.00	\$100,000.00
12	Drainage Correction at NW of Main & Washington (incl concrete damage)	LS	1	\$35,000.00	\$35,000.00
13	Pavement Markings	LS	1	\$10,000.00	\$10,000.00
14	Restoration	LS	1	\$10,000.00	\$10,000.00

Total Estimate of Probable Construction Cost	\$1,200,500.00
Undeveloped Details & Construction Contingency (20%)	\$240,100.00
Est. Design & Construction Engineering & Administration (20%)	\$240,100.00
Total Estimate of Probable Construction Cost	\$1,680,700.00

The Design Professional has no control over costs or the price of labor, equipment or materials, or over the Contractor's method of pricing.
Bid prices may vary significantly based on these factors and market conditions at time of bid.

Rudy's Prime Steakhouse



9 S Main Street
Clarkston, MI 48362
(248) 224-4442
robert@rudysmarket.com

Apr 2, 2025

Jonathan Smith
City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

Subject: Letter of Support for Downtown Walkability, ADA Compliance, and Pedestrian Safety Improvements

Dear Mr. Smith,

As the owner of Clarkston's newest restaurant, Rudy's Prime Steakhouse, I am writing to express my strong support for the proposed improvements to the City's downtown walkability, ADA compliance and pedestrian safety. Replacing our deteriorating and non-compliant sidewalks and driveways is very important to pedestrian safety, but also important to enhance the overall experience of the patrons to our restaurant and our neighboring businesses.

The sidewalks and driveways in Clarkston currently pose significant hazards to pedestrians and customers, particularly those with mobility challenges. Uneven and deteriorating walkways not only create safety risks but also discourage foot traffic, which is vital to local businesses like mine. Addressing these issues will foster a more welcoming and pedestrian-friendly environment, encouraging more people to visit and support businesses in the area.

Additionally, improving our sidewalks and driveways aligns with our city's commitment to accessibility and compliance with ADA regulations. By investing in this project, the municipality is demonstrating its dedication to creating an economically vibrant community. The enhancements will not only improve pedestrian safety but also contribute to the long-term prosperity of local businesses, increasing customer satisfaction and overall economic activity.

I fully support the efforts of the City of the Village of Clarkston in prioritizing this initiative and urge the necessary allocation of resources for its successful execution. My restaurant is committed to working alongside the community and local officials to ensure the success of this project and will gladly participate in outreach or advocacy efforts if needed.



Thank you for your leadership and commitment to improving our community's infrastructure. I look forward to seeing this project move forward and the positive impact it will bring to both businesses and residents alike. Please feel free to reach out if further support is needed.

Sincerely,

Robert Esshaki

Robert Esshaki
Owner, Rudy's Prime Steakhouse



March 28, 2025

Jonathan Smith
City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

Subject: Letter of Support for Downtown Walkability, ADA Compliance, and Pedestrian Safety Improvements

On behalf of Main Street Oakland County, the nation's first and only countywide Coordinating Main Street Program, we lend our support to local governments such as Clarkston to develop their downtowns into vibrant, successful districts that serve as the heart of their communities. In keeping with this mission, I am writing to express our full support for the City of the Village of Clarkston and its proposed improvements to the downtown sidewalks, curbing, and driveways.

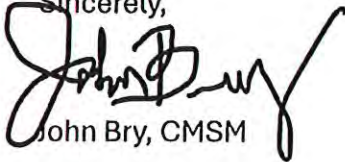
These critical infrastructure upgrades are designed to improve walkability, enhance ADA compliance, and ensure pedestrian safety in the heart of Clarkston's historic downtown. This project aligns perfectly with MSOC's vision, and we commend the City for prioritizing both accessibility and safety.

The need for these improvements is clear. Clarkston's downtown Main Street, spanning approximately 2.5 blocks, is home to a vibrant mix of restaurants, retail shops, and other local businesses. Throughout the year—especially in the summer months, when the City's Social District is active—pedestrian traffic surges. At the same time, Main Street (M-15) remains a heavily trafficked MDOT state trunkline, with thousands of vehicles and heavy trucks passing through daily. The coexistence of dense pedestrian and vehicular activity makes these upgrades not only necessary but urgent.

Communities across Oakland County have consistently demonstrated that attractive, accessible, and pedestrian-friendly downtown environments are essential to economic vitality and business success. I am confident that Clarkston's proposed improvements will have the same positive effect, making the city an even more appealing destination for business owners, visitors, and residents alike.

We are especially supportive of the City's recent decision to pursue a Congressional Directed Spending grant through the U.S. House of Representatives. This funding, which would cover an estimated \$1.5 million project cost, would allow Clarkston to fully realize this transformative plan. We thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John Bry".

John Bry, CMSM

Administrator, Local Business Development and Main Street Program Coordinator

Oakland County Department of Economic Development

BRYJ@OAKGOV.COM
(248) 858-5444



April 1, 2025

Mr. Jonathan Smith, City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

RE: Letter of Support, Downtown Walkability, ADA, and Pedestrian Safety Improvements

This letter confirms support from SEMCOG, the Southeast Michigan Council of Governments, for City of the Village of Clarkston's request for Downtown Walkability, ADA, and Pedestrian Safety Improvements. This project will support the downtown Main Street portion of the historic City of the Village of Clarkston, which is approximately 2 1/2 blocks long, with five very popular restaurants, retail shops and other businesses.

SEMCOG is a regional planning partnership that supports coordinated local planning among over 170 units of local government across seven counties in Southeast Michigan. SEMCOG engages regional stakeholders and analyzes data related to the environment and parks to ensure that the region's public spaces and natural resources meet the quality of life, health, and accessibility needs of residents. This project will improve walkability, ADA compliance, and overall pedestrian safety in the downtown City of the Village of Clarkston, effectively enabling the co-existence of heavy pedestrian and vehicular traffic. The work will include all new sidewalks, curbing, and driveways in the downtown blocks that are safe to walk and compliant with ADA requirements. If allowed by MDOT, sidewalk extensions (bump-outs) and pedestrian-activated caution signaling will be included.

Investing in this project will improve quality of life for residents in City of the Village of Clarkston with positive impacts for the broader Clarkston communities, while also supporting SEMCOG's vision for the Southeast Michigan region. Please accept this letter of support in consideration of funding for this initiative.

This project is consistent with the policies of SEMCOG's long-range transportation plan, Vision 2050, as it will rehabilitate critical community assets and preserve economic connections and development. While this project cannot be added to the Transportation Improvement Program (TIP) until a written notice of funding award has been received, SEMCOG is prepared to act quickly and include the project in the TIP as soon as funds are identified.

Please contact me at 313-324-3350 or oleary@semcog.org if you have any questions or require additional information.

Sincerely,

Amy O'Leary
Executive Director



Amy Laboissonniere, President
Clarkston Area Chamber of Commerce
5856 S. Main
Clarkston, MI 48346

April 2, 2025

Jonathan Smith
City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

Subject: Letter of Support for Downtown Walkability, ADA Compliance, and Pedestrian Safety Improvements

Dear Mr. Smith,

On behalf of the Clarkston Area Chamber of Commerce, I am pleased to extend my unwavering support for the proposed improvements to the City of Clarkston's downtown walkability, ADA compliance and pedestrian safety. As an advocate for our local businesses, I cannot emphasize enough the importance of providing accessible, walkable and safe sidewalks in the business district. It is critically important to the success of any business.

In a time when Amazon and big-box stores are challenging the survival of the small businesses on a daily basis, we must find every way possible to encourage our community to "shop local". One of the ways we can do that is to offer walkable, ADA compliant and

pedestrian-friendly sidewalks and driveways in our downtown district. We simply cannot afford to lose a single customer due to crumbling and unsafe sidewalks and driveways!

I feel strongly that the proposed project will be a significant investment by the municipality in our local economy, contributing to the long-term success and vitality of our business district. I am thankful that the City of the Village of Clarkston recognizes the importance of this initiative and urge that the resources needed for a successful execution are deployed. If I or the Chamber of Commerce may be of any assistance, please do not hesitate to ask.

Sincerely,

A handwritten signature in blue ink, reading "Amy Labolssonniere". The signature is fluid and cursive, with a long horizontal flourish extending from the end of the name.

Amy Labolssonniere, President
Clarkston Area Chamber of Commerce
amyl@indtwp.com



Executive Board

President

Barb Rush

1st Vice President

Zac Bell

2nd Vice President

Steve Kremer

Secretary

Jennifer Krausman

Treasurer

Derek Werner

Past President

Anne Evans

Board Members

Lindsey Baker

Matthew Evans

Joe Fabrizio

Emily Ford

Rich Glenn

Tara Hansen

Emily Hawkins

Dawn Horner

Al Kuhn

Paige Mason

Megan O'Neill- Nini

Jeff Roeser

Andrea Rouland

Becky Rumph- Pender

Sue Welker

Ex-Officio Member

Stacey Theophelis

Staff

Amy Darnell

Executive Director

Maddy Nalli

Executive Assistant

April 2, 2025

Jonathan Smith

City Manager

City of the Village of Clarkston

375 Depot Road

Clarkston, MI 48346

Subject: Letter of Support for Downtown Walkability, ADA Compliance, and Pedestrian Safety Improvements

Dear Mr. Smith,

The Clarkston SCAMP organization is excited to hear about your proposed improvements to downtown Clarkston, making the sidewalks walkable and ADA compliant. This is very important to Clarkston's many residents and visitors. Possibly even more important are the proposed improvements for pedestrian safety, a long overdue improvement given the many vehicles and large trucks that utilize Main Street (M-15) on a regular basis.

On behalf of the Clarkston SCAMP organization, please accept our full support and endorsement for this exciting and much needed project.

Thank you and please let me know if I may be of any assistance.

Sincerely,

Barb Rush, President

North Oakland SCAMP Funding Corporation

nosfc@clarkston.k12.mi.us

North Oakland SCAMP Funding Corporation is a 501(c)(3) organization.

Your gift is tax deductible as provided by law.

No goods or services were provided by the organization in return for the contribution.

Please consider this letter as a receipt for your tax deductible donation



Don't forget to follow Clarkston SCAMP on Facebook and Instagram!



Sue Wylie, Mayor of the City of the Village of Clarkston

375 Depot Road

Clarkston, MI 48346

wylies@villageofclarkston.org

April 1, 2025

Jonathan Smith, City Manager

City of the Village of Clarkston

375 Depot Road

Clarkston, MI 48346

Subject: Letter of Support for Downtown Walkability, ADA Compliance, and Pedestrian Safety Improvements

Dear Jonathan,

As Mayor of the City of the Village of Clarkston, I am proud to express my full support for the proposed downtown sidewalk and driveway improvement project with a goal of replacing the non-compliant and crumbling sidewalks and driveways while also enhancing crosswalk safety throughout downtown area. I am very confident that this initiative will be a critical investment in the well-being of our residents and visitors, the vibrancy of our local businesses, and the overall accessibility of our City.

Most importantly, the proposed project will ensure safer crosswalks in our downtown, which is essential to protecting pedestrians and fostering a walkable, connected City. Several recent pedestrian accidents in the downtown area has me very concerned about our responsibility to provide a safe community in which our residents can live. Our City Council is committed to providing and maintaining a pedestrian-friendly community.

I commend the efforts of the City staff in their efforts to make this project a priority. The City of Village of Clarkston is committed to supporting this initiative in every way possible,

and we welcome collaboration with community members, businesses, and stakeholders to ensure its success. I look forward to seeing this project come to fruition and the lasting benefits it will bring to our community. Please do not hesitate to reach out if further support is needed.

Sincerely,

A handwritten signature in cursive script that reads "Sue Wylie". The letters are fluid and connected, with a prominent "S" and "W".

Sue Wylie

Mayor of the City of the Village of Clarkston

wyllies@villageofclarkston.org

REVISITED / MODIFIED Increases for the 25/26 Fiscal Year

	Challenge Category	24/25 FY Final Budget	25/26 FY INITIAL Estimate	25/26 FY MODIFIED Estimate	Year-over-Year Change		Comments
					Dollar Increase	Percentage Increase	
1.	Oakland County Police Services	\$157,550	\$181,183	\$178,667	\$21,117	13.4%	The tentative agreement with Independence Twp reduces the year-over- year increase by \$2,516.
2.	Oakland County Assessing Services	\$8,600	\$12,906	\$12,906	\$4,306	50.1%	Currently exploring an agreement with Independence Twp that will largely eliminate this increase.
3.	New City Attorney	\$30,000	\$39,475	\$30,000	\$0	0.0%	Based on the completed City Attorney candidate interviews, it is felt that no budget increase is needed.
4.	Building and Inspection Services	\$19,665	\$36,000	\$30,000	\$10,335	52.6%	A tentative agreement with Independence Twp reduces the year-over-year increase by \$6,000.
5.	Administrative Staff Salaries	\$128,925	\$182,853	\$162,105	\$33,180	25.7%	Modifications to the salary proposal have reduced the year-over-year increase by \$20,748.
	Total	\$344,740	\$452,417	\$413,678	\$68,938	20.0%	Overall, the proposed modifications, have reduced the year-over-year increase by \$38,739.

City of the Village of Clarkston

Annual & Hourly Pay Schedule Required by the Appropriations Act

Position		2024/2025 FY Proposed Budget		2025/2026 FY Proposed Budget		Year-over-Year Increase		Comments
		Annual (straight-time)	Hourly Wage	Annual (straight-time)	Hourly Wage	Dollar Change	Percent Change	
Administration	City Manager	\$44,990	28.84	\$58,225	34.99	\$13,235	29.4%	Salary increases based on a 3rd-party, Independent Salary Study in order to attract and retain the administrative employees
	City Treasurer	\$33,320	21.36	\$40,000	24.04	\$6,680	20.0%	
	City Clerk	\$38,220	24.50	\$50,000	30.05	\$11,780	30.8%	
	Administrative Assistant	\$12,395	19.30	\$13,880	21.42	\$1,485	12.0%	
	Administration Sub-Total	\$128,925		\$162,105		\$33,180	25.7%	
Department of Public Works (DPW)	DPW Supervisor	\$55,120	26.50	\$58,240	28.00	\$3,120	5.7%	Increase to be competitive with Independence Township
	DPW Laborer	\$29,985	18.02	\$38,605	18.56	\$8,620	28.7%	Converted to a full-time employee
	DPW Sub-Total	\$85,105		\$96,845		\$11,740	13.8%	
Grand Total		\$214,030		\$258,950		\$44,920	21.0%	

City of the Village of Clarkston

Salary Study Impact Assessment for the Administrative Staff - May 2025

	Current Compensation			Rahmberg Compensation Recommendations								Budget Compensation Proposal					
	24/25 Fiscal Year Salary	401k Match (3%) (c)	Total Compensation	Minimum (a)	Mid-Point (a)	Maximum (a)	Annual Salary (b)	Health Care In-Lieu of Coverage	401k Match (6%)	Total Compensation	Change vs Current	Annual Salary	Health Care -or- In-Lieu of Coverage	401k Match (4.0%)	Total Compensation	Change vs Current	Change vs Rahmberg
City Manager	\$44,990	\$1,350	\$46,340	\$58,225	\$68,500	\$78,775	\$68,500	\$3,080	\$2,760	\$74,340	\$28,001	\$58,225	\$0	\$2,329	\$60,554	\$14,214	(\$13,786)
City Treasurer	\$33,320	\$0	\$33,320	\$30,005	\$35,300	\$40,595	\$35,300	\$3,080	\$1,118	\$39,498	\$6,178	\$40,000	\$0	\$1,600	\$41,600	\$8,280	\$2,102
City Clerk	\$38,220	\$1,147	\$39,367	\$33,150	\$39,000	\$44,850	\$44,850	\$3,080	\$1,544	\$49,474	\$10,108	\$50,000	\$8,000	\$2,000	\$60,000	\$20,633	\$10,526
Deputy Clerk	\$12,395	\$372	\$12,767	\$18,785	\$22,100	\$25,415	\$18,785	\$0	\$755	\$19,540	\$6,773	\$13,880	\$0	\$555	\$14,435	\$1,668	(\$5,105)
Total	\$128,925	\$2,868	\$131,793	\$140,165	\$164,900	\$189,635	\$167,435	\$9,240	\$6,178	\$182,853	\$51,060	\$162,105	\$8,000	\$6,484	\$176,589	\$44,796	(\$6,264)

a) Based on the 25th Percentil of the MML Salary Study and adjusted downward to reflect a 32-hour work week

b) Adjusted to reflect experience/knowledge of current employee