

March 7, 2005

FREEDOM OF INFORMATION ACT REQUEST

To whom it may concern this is a request under the Freedom of Information Act, 5 U.S.C. Sec. 552.

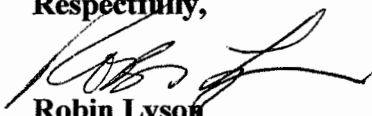
Recently there have been news articles and news reports stating that our City Council members and employees were abusing cellular phone usage. At this time I am requesting the following information and documents:

1. Copy of each person's request for cellular phone usage reimbursement amounts from December 2003 thru February 2005 City of Lincoln Park cellular phone contracts in effect prior to February of 2005 for City Elected Officials and City Employees:
 - a. Mayor Steve Brown
 - b. Council President Mark Kandes
 - c. Council Member Higgins
 - d. City Attorney, Ed Zelenak
 - e. City Manager Steve Duchane

I am requesting a waiver of all fees for this request. Disclosure of the requested information to me is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government, and is not in my commercial interest, nor any business trying to get information on industrial competitors.

If you have any additional questions regarding this request please feel free to contact me.

Respectfully,



Robin Lyson
Lincoln Park Resident and Taxpayer
Email: RobinLyson@YourLincolnPark.com

*Hand Delivered
Received 3/16/05
C. Neethkamp*

City of Lincoln Park
Freedom Of Information Act ("FOIA") Response

Requestor: ROBIN LYSON

Date received: 03/14/05

① CELL PHONE REIMBURSEMENT

Received by: C. SNETHWAMP

Your recent request for public record(s) under the Michigan Freedom of Information Act ("FOIA"), MCL §15.231 et seq., has been:

- Granted, in whole or in part. The requested records are enclosed.
- Reviewed, and determined that the cost of responding to your request is estimated to exceed \$50.00, therefore a deposit of _____ (half the estimated cost) will be required. Upon receipt of your deposit, the request will be completed.
- Due to unusual circumstances, we are extending the period to respond to your request by ten (10) business days, due to:
 - The need to search for, collect, or appropriately examine or review a voluminous amount of separate and distinct public records pursuant to a single request.
 - The need to collect the requested public records from numerous offices, facilities, or other establishments located apart from the office receiving or processing the request.
- Granted, your name will be placed on a subscription list for future issuances of the requested records disseminated on a regular basis. This subscription is valid for six months and must be renewed in writing.
- Denied, in whole or in part, for the reason(s) noted on the back of this form.
- Denied; after a diligent search the records requested could not be located, given the name or other criteria provided.

If your request for record(s) is denied, you may submit a written appeal, specifically stating "appeal" and stating the reasons for the appeal, to the Mayor of the City of Lincoln Park, or seek judicial review under Section 10 of the Act within 180 days after the public body's final determination. Within ten (10) days of receiving a request for an appeal, the Mayor will a.) reverse the denial; b.) issue a written notice upholding the denial; c.) reverse in part and uphold in part by written notice; or d.) issue a notice extending by ten (10) business days the time to decide the appeal.

If after judicial review, the Circuit Court determines that the City has not complied fully with the disclosure requirements, the Court may award reasonable attorneys' fees, costs, and disbursements. If the Court determines that the City has arbitrarily and capriciously violated the Act, the Court shall award punitive damages in the amount of \$500.

A copy of this request and reply will be kept on file for no less than one year.

Request processed by C. SNETHWAMP Date 03/21/05

FOIA Coordinator, City of Lincoln Park
1427 Cleophus
Lincoln Park, Michigan 48146

City of Lincoln Park Freedom Of Information Act ("FOIA") Response

The requested records were denied in whole or in part for the following reasons:

- Requested record(s) are information of a personal nature where the public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy.
- Requested record(s) would disclose the social security number of an individual.
- Medical, counseling, or psychological facts concerning an identified individual.
- Requested record(s) are law enforcement records under investigation and disclosure would interfere with law enforcement proceedings, or deprive a person of the right to a fair trial or impartial administrative adjudication, or constitute an unwarranted invasion of personal privacy.
- Requested record(s) are a bid, or proposal to enter into a contract or agreement, prior to the time established for submission or public opening.
- Requested record(s) are test questions and answers or other examination instruments.
- Requested record(s) are communications and notes within a public body or between public bodies of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to a final determination of policy or action.
- Requested record(s) are records of a law enforcement agency and identify an undercover officer or an informer, disclose operations, reveal contents of manuals, or identify residences the agency is requested to check on.
- Requested record(s) would disclose the personal address or telephone number of law enforcement personnel or their agents; or would disclose the name, address, or telephone numbers of relatives of law enforcement personnel and their agents.
- Requested record(s) are information relating to a civil action in which the requestor and the City are parties.
- Under the Child Protection Laws, a reporting person's identity is confidential, and documents and photos of children are confidential unless specifically excluded.
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