



CITY OF ANN ARBOR, MICHIGAN

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Office of the City Administrator

February 3, 2010

Edward Vielmetti
Ann Arbor.com
Vielmetti@gmail.com

Dear Mr. Vielmetti:

I am responding to your email message today entitled "APPEAL: non-responsive FOIA request Fwd: pedestrian crossings, story in AnnArbor.com."

First, I am not treating this as an appeal of a response to a Michigan Freedom of Information Act (FOIA) request. The request contained in your original email message to Liz Rolla on November 27, 2009, was:

"Elizabeth -

- *I'd like to know when the sign was installed for the first time
- *what dates and times the sign had to be repaired or replaced because of vehicle accidents
- *any changes in sign design or installation or other alternations that have been done since the first install so that I can make an appropriate correction"

The FOIA governs the release of public records. It does not address or govern responses to requests for information and it provides that a public body is not required "to make a compilation, summary or report of information" in response to a FOIA request. MCL 15.233(4). Because your request was solely for information, it was not a request under the FOIA and you do not have a statutory right to appeal the lack of response by City staff.

Therefore, your appeal to me under FOIA is denied.

Notwithstanding my denial of your appeal, I have reviewed your request and respond further. First, although the City is not required to respond to requests for information, Ms. Rolla responded to you that she did not have the information you were requesting. As a courtesy, she forwarded your request to Chuck Fotjik in the City's Signs & Signals Unit. Second, contrary to your assertion, you were not promised a response by anyone. Ms. Rolla did not promise you a response, and from the string of emails that you forwarded to me, I do not see that Mr. Fotjik or anyone else promised you a response. Furthermore, as I've already pointed out, Mr. Fotjik was not required to provide you with a response. Nevertheless, by way of response to the three parts of your inquiry I provide the following information that staff compiled for me:

(1) The signs were installed for the first time on 10-8-09.

(2) The signs were reinstalled due to accidents as follows:

10-16-09	Keep Right Sign (R4-7) and In Street Pedestrian Crossing Sign (R1-6) - Both on North side of island.
10-19-09	Keep Right Sign (R4-7) and In Street Pedestrian Crossing Sign (R1-6) - Both on North side of island.
11-4-09	Keep Right Sign (R4-7) and In Street Pedestrian Crossing Sign (R1-6) - Both on North side of island.
12-11-09	Keep Right Sign (R4-7) and In Street Pedestrian Crossing Sign (R1-6) - Both on North side of island.
12-16-09	Keep Right Sign (R4-7) and In Street Pedestrian Crossing Sign (R1-6) - Both on North side of island.
12-21-09	Keep Right Sign (R4-7) and In Street Pedestrian Crossing Sign (R1-6) - Both on North side of island.
12-28-09	Keep Right Sign (R4-7) and In Street Pedestrian Crossing Sign (R1-6) - Both on North side of island.
1-4-10	Keep Right Sign (R4-7) and In Street Pedestrian Crossing Sign (R1-6) - Both on North side of island.
1-13-10	Keep Right Sign (R4-7) and In Street Pedestrian Crossing Sign (R1-6) - Both on North side of island.
1-20-10	Keep Right Sign (R4-7) and In Street Pedestrian Crossing Sign (R1-6) - Both on North side of island.

(3) There have been no changes in sign design or installation or other alternations that have been done since the first install.

Sincerely,


Roger W. Fraser
City Administrator