

Michael O'Connor
526 Minnesota Avenue
Gladstone, Michigan 49837
(906) 241-9808

Rob Spreitzer City Manager
City of Gladstone
1100 Delta Ave
Gladstone, Mi 49837

"APPEAL"

June 2nd, 2026

Re: Appeal Excessive FOIA Processing Fee Request N. 2026-06 Rec'd on 5/29/2026

Dear Mr. Spreitzer,

Please submit my request for City of Gladstone Commission to review section 1 of the City of Gladstone FOIA Fee Itemization Form "Labor Costs - Search, Location, and Examination of Records" as the hourly cost of \$47.27 appears to be excessive for the lowest paid employee capable of completing the task. Plus a math error in rounding down the number of 15 minute increments.

I look forward to meeting with the Commission, as needed, to bring this matter to a successful conclusion.

Sincerely,



Michael O'Connor

CITY OF GLADSTONE
FOIA Fee Itemization Form

Date: 05-26-2026Name: Michael O'Connor

<u>Component</u>	<u>Cost Calculations</u>	<u>Total</u>
1. Labor Costs -- Search, Location, and Examination of Records*	<p>Enter the hourly wage of lowest paid employee capable of performing the search, location and examination $\\$ 47.27$ per hour</p> <p>Multiply the wage by the fringe benefit multiplier (maximum of 50% of the hourly wage); OR, if the requested information is available online and the requestor request the documents to be provided in another format, the fringe benefit multiplier may exceed 50% (not to exceed actual cost) _____ %</p> <p>Multiply the hourly wage times the fringe benefit multiplier $\\$ _____ \times 1._____ = \\$ _____$</p> <p>If stipulated by the requestor, add the hourly overtime wage increment (but do not include in the calculation of fringe benefit costs) $\\$ _____ + _____ = \\$ _____$</p> <p>Divide the resulting hourly wage by four (4) to determine the charge per fifteen (15) minute increment $\\$47.27 / 4 = \\11.81</p> <p>Number of 15 minute increments (partial time increments must be rounded down) multiplied by the permitted rate $114 \text{ minutes} / 15 \text{ minutes} = 7.6 \times \\$11.81 = \\$ 89.75$</p>	<p align="right"><u>\$89.75</u></p>
2. Employee Labor Costs -- Redaction*	<p>If performed by the public body's employee:</p> <p>Enter the hourly wage of lowest paid employee capable of performing the redaction $\\$47.27$ per hour</p> <p>Multiply the wage by the fringe benefit multiplier (maximum of 50% of the hourly wage); OR, if the requested information is available online and the requestor request the documents to be provided in another format, the fringe benefit multiplier may exceed 50% (not to exceed actual cost) _____ %</p> <p>Multiply the hourly wage times the fringe benefit multiplier $\\$ _____ \times 1._____ = \\$ _____$</p>	

	<p>If stipulated by the requestor, add the hourly overtime wage increment (but do not include in the calculation of fringe benefit costs)</p> <p style="text-align: center;">\$ _____ + _____ = \$ _____</p> <p>Divide the resulting hourly wage by four (4) to determine the charge per fifteen (15) minute increment</p> <p style="text-align: center;">\$47.27 / 4 = \$11.81 _____</p> <p>Number of 15 minute increments (partial time increments must be rounded down) multiplied by the permitted rate</p> <p style="text-align: center;">30 minutes/15 minutes = 2 x \$11.81 = \$ 23.62 _____</p>	\$23.62
<p>3. Contracted Labor Costs – Redaction*</p>	<p>If performed by Contracted Labor (Only permitted if the public body does not employ a person capable of redacting the records as determined by the FOIA Coordinator):</p> <p>Name of person or firm contracted:</p> <p>_____</p> <p>Enter the hourly rate charged by the contractor (may not exceed six (6) times the State minimum wage (i.e. \$8.15x6=\$48.90)</p> <p style="text-align: right;">\$ _____ per hour</p> <p>Divide the hourly rate by four (4) to determine the charge per fifteen (15) minute increment</p> <p style="text-align: center;">\$ _____ / 4 = \$ _____</p> <p>Number of 15 minute increments (partial time increments must be rounded down) multiplied by the permitted rate</p> <p style="text-align: center;">_____ x \$ _____ = \$ _____</p>	\$ 0.0
<p>4. Non-Paper Physical Media</p>	<p>Actual and most reasonably economical cost of:</p> <p>Flash Drives \$ _____ x number used _____ = \$ _____</p> <p>Computer Discs \$ _____ x number used _____ = \$ _____</p> <p>Other Media \$ _____ number used _____ = \$ _____</p>	\$0.0
<p>5. Paper Copies</p>	<p>Actual total incremental cost of duplication (not including labor) up to a <u>maximum of 10 cents per page</u>:</p> <p>Letter paper (8 ½" x 11")</p> <p style="text-align: right;">number of sheets 55 x \$0.02 = \$1.10</p> <p>Legal paper (8 ½" x 14")</p> <p style="text-align: right;">number of sheets _____ x \$0. = \$ _____</p>	

	<p>Actual cost of other types of paper:</p> <p>Type of Paper: _____ number of sheets _____ x \$ _____ = \$ _____</p> <p>Type of Paper: _____ number of sheets _____ x \$ _____ = \$ _____</p> <p>(NOTE: Must print double-sided if available and costs less.)</p>	<p>\$1.10</p>
<p>6. Labor Cost – Duplication Copying, and transferring records to non-paper physical media</p>	<p>Enter the hourly wage of lowest paid employee capable of performing the duplication, copying, or transferring digital records to non-paper physical media</p> <p style="text-align: right;">\$ _____ per hour</p> <p>Multiply the wage by the fringe benefit multiplier (maximum of 50% of the hourly wage); OR, if the requested information is available online and the requestor request the documents to be provided in another format, the fringe benefit multiplier may exceed 50% (not to exceed actual cost)</p> <p style="text-align: right;">_____ %</p> <p>Multiply the hourly wage times the fringe benefit multiplier</p> <p style="text-align: right;">\$ _____ x 1. _____ = \$ _____</p> <p>If stipulated by the requestor, add the hourly overtime wage increment (but do not include in the calculation of fringe benefit costs)</p> <p style="text-align: right;">\$ _____ + _____ = \$ _____</p> <p>Divide the resulting hourly wage by _____ to determine the charge per _____ () minute increment</p> <p style="text-align: right;">\$ _____ / 4 = \$ _____</p> <p>(NOTE: May use any time increment for this category)</p> <p>Number of _____ minute increments (partial time increments must be rounded down) multiplied by the permitted rate</p> <p style="text-align: right;">x \$ _____ = \$ _____</p>	<p>\$0.0</p>
<p>7. Mailing</p>	<p>Actual cost of mailing records in a reasonable and economical manner:</p> <p style="text-align: right;">Cost of mailing: \$ _____</p> <p>Cost of least expensive form of postal delivery confirmation:</p> <p style="text-align: right;">\$ _____</p>	<p>\$0.0</p>

	Cost of expedited shipping or insurance only if specifically stipulated by the requestor: \$ _____	
	Subtotal	\$ <u>114.47</u>
Waivers and Reductions	<p>Subtract any Fee Waiver or Reduction: \$20.00 for indigency or nonprofit organization as further described in the Public Body's procedures and guidelines.</p> <p>Any amount determined by the Public Body due to the search and furnishing of the Public Record determined to be in the public interest. \$ _____</p> <p>The reduction amount due to the late response of the Public Body. 5% of fee x _____ days late = _____ % reduction (maximum reduction is 50%)</p>	-\$ <u>0.0</u>
Deposit: _____	Subtract any good-faith deposit received: \$ _____	-\$ _____
Invoice: <u>XX</u>	Request will be processed upon payment of required deposit: balance must be paid before copies may be picked up, delivered or mailed	Total Due \$ <u>114.47</u>
Estimate _____	Estimated time frame to provide records: <u>5</u> business days	
	The estimated timeframe is nonbinding upon the City; the City is providing the estimate in good faith.	
	Request will be processed upon payment of required deposit: balance must be paid before copies may be picked up, delivered or mailed	Date Paid

*Note: Labor costs for search, location, examination and redaction (categories 1 and 2 on the itemization form) may not be charged unless the failure to charge a fee would result in unreasonably high costs to the public body because of the nature of the request in the particular instance, and the public body specifically identifies the nature of these unreasonably high costs.

The public summary of the City's FOIA Procedures and Guidelines is available free of charge from:
Website: www.gladstonemi.gov Email: kberry@gladstonemi.gov

Kim Berry, City Clerk
906-428-2311
1100 Delta Avenue, Gladstone, MI. 49837

Request No. 2026-06 _____
Date: 05-26-2026 _____
Name: Michael O'Connor_