

## Sonja Stout

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**From:** Francesco Komendera [REDACTED]  
**Sent:** Tuesday, March 24, 2026 11:11 PM  
**To:** Kenneth Mogill; Sonja Stout; Lynsey Blough; Lisa Flynn; Chad Scribner; ruttT@lakeorion.org; Stan Ford; comparoniA@lakeorion.org; George Dandalides; Michael Lamb; Nancy Moshier; Eric Papacek; Darwin McClary  
**Subject:** Re: FOIA Appeal – Original Request Submitted March 19, 2026

Dear Members of the Village Council,

I am submitting this letter as a formal appeal under MCL 15.240 regarding the denial of my FOIA request submitted on March 19, 2026.

The denial cited two reasons: (1) lack of a mailing address, and (2) an ambiguous date range. I would like to correct both points and formally assert my rights as an indigent requester.

1. I am indigent and hereby formally request a waiver of all fees pursuant to MCL 15.234(1). I certify that I am currently receiving public assistance and am unable to pay any costs associated with this request. As an indigent requester, MCL 15.233(1) explicitly exempts me from the requirement to provide a physical mailing address, which applies only to non-indigent requesters. The Village of Lake Orion has no legal authority to investigate or require verification of any address provided, and any such action would be outside the scope of FOIA.
1. To remove any ambiguity, I clarify that my request covers the period from February 1, 2026 through the present.

I must also express concern that my prior denial misquoted and misapplied MCL 15.233(1). Denying my request on this technicality, despite my known indigency and advocacy in the community, constitutes a lack of good faith.

For my safety and practicality, I request that all responsive records be provided electronically only to my email address listed above.

I respectfully request that the Village Council reverse the denial and order that the public body provide all records responsive to my original FOIA request and this resubmission.

**FREEDOM OF INFORMATION ACT Act 442 of 1976** states:

“A request from a person, ***other than an individual who qualifies as indigent under section 4(2)(a)***, must include the requesting person's complete name, address, and contact information.

[https://www.legislature.mi.gov/\(S\(zqswgittvpp5zwrhewrbd2bv\)\)/documents/mcl/pdf/mcl-act-442-of-1976.pdf](https://www.legislature.mi.gov/(S(zqswgittvpp5zwrhewrbd2bv))/documents/mcl/pdf/mcl-act-442-of-1976.pdf)

Thank you for your prompt attention to this appeal.  
/s/Francesco Komendera



Here is my letter of denial



LB

Lynsey Blough

To: Mr. Frank Bash Cc: Sonja >

## FOIA Request #26-018

Dear Mr. Komendera,

This letter is in response to your Freedom of Information Act request to the Michigan Department of Transportation (MDOT) on March 19, 2026.

After reviewing your request, we must inform you of the following:

1. Pursuant to MCL 15.233(1), a request for personal information, including a mailing address. Your request does not include a specific date range.
2. Pursuant to MCL 15.233(1) and MCL 15.233(2), records sought to enable the public body to perform its duties ("February 1 to present") does not include a specific date range from determining the applicable date range.

If you are not satisfied with this response, you may request a review.

Sent from my iPad

On Mar 10, 2026, at 3:08 PM, Francesco Komendera [REDACTED] wrote:

Dear administrative, ethical and elective officials at the Village of Lake Orion

I am submitting this letter as a formal ethics complaint regarding the conduct of the Executive Director of the Lake Orion Downtown Development Authority during Village Council meetings and related public proceedings.

During a recent Village Council meeting on March 9, 2026, a member of the public was addressing the council during public comment when the DDA Executive Director approached a microphone and interrupted the speaker by declaring a “point of order.” In doing so, he effectively cut off a resident who was attempting to address the governing body. Public comment is one of the most fundamental opportunities for citizens to participate in local government, and interruptions of this nature by a non-member administrator raise serious concerns regarding interference with public participation.

Following this interruption, he turned his attention toward President Pro Tem Stan Ford, speaking in an elevated tone and using aggressive body language while urging him to “take control” of the meeting.

This incident does not appear to be isolated. Over the past approximately nineteen months, there has been a repeated pattern in which the Executive Director has inserted himself into council proceedings by interrupting speakers, declaring points of order, or engaging directly with council members during debate. These actions appear inconsistent with standard parliamentary procedure, where procedural rulings are made by the presiding officer and points of order are typically raised by members of the governing body.

More recently, on January 16, 2026, during a council discussion in which the Village Manager stated that the Downtown Development Authority captures approximately eighty percent of the tax-based revenue within the downtown district, the Executive Director interrupted the statement and publicly accused the Village Manager of being a “liar.” I encourage the Ethics Review Authority to review the underlying

financial documents related to that statement, as the Village Manager's remarks appear to be supported by publicly available information.

Similar accusations have also been directed toward council members during meetings. Such confrontational exchanges between an appointed administrator and elected officials during a public meeting raise serious concerns regarding professional conduct and the orderly administration of council proceedings.

The Executive Director is a licensed attorney admitted to the State Bar of Michigan and a member of the legal profession. As such, he is expected to understand the importance of procedural boundaries, professional decorum, and respect for lawful governance processes. While his role as DDA Executive Director is administrative in nature, his legal training reinforces the expectation that he understands the procedural framework governing municipal meetings and the importance of maintaining public trust in governmental institutions.

The repeated interruption of public speakers and confrontational conduct during council meetings risks creating what is commonly described as a

**Chilling effect on public participation:**

*Conduct by a government actor that discourages or suppresses the exercise of First Amendment rights through intimidation, retaliation, or the threat of adverse consequences, even if no direct punishment occurs.*

When residents observe speakers being interrupted or publicly confronted by officials, they may reasonably feel discouraged from participating in the public comment process. Public participation at government meetings is a core component of democratic governance and is reflected in the principles of the First Amendment as well as the transparency requirements of the Michigan Open Meetings Act.

I would also like to note that I have personally experienced similar chilling conduct while attempting to participate in public comment. On March 19, 2024, while addressing a public meeting, I was shouted at by the Orion Township Treasurer during my comment. The first time I addressed a public meeting approximately two years ago, I was also met with hostility while speaking. These experiences reinforce the perception that residents who attempt to participate in local government meetings may be subjected to intimidation or hostility. For that reason, I do not view the conduct described above as an isolated occurrence but rather as part of a broader pattern that discourages open public participation.

Recent observations also suggest that the Executive Director may have become aware that his prior practice of declaring points of order directly could be procedurally inappropriate. At the Planning Commission meeting on March 2, 2026, rather than declaring a point of order himself as he had previously done, he asked aloud whether a council member would call a point of order while a board member was speaking. This apparent change in behavior suggests awareness that procedural authority properly lies with members of the governing body and the presiding officer. I respectfully encourage the Ethics Review Authority to examine any internal guidance or communications regarding this issue if such review is appropriate and legally permissible.

In addition to the conduct described above, I believe the Village should remain mindful of broader concerns regarding transparency and responsiveness to public records requests. In 2024, I filed a lawsuit in Oakland County Circuit Court (Case No. 2024-209678-CZ) regarding compliance with the Michigan Freedom of Information Act. During those proceedings, the presiding judge stated that the evidence presented demonstrated that the Village had violated the Freedom of Information Act, although the case was ultimately dismissed due to the applicable statute of limitations.

I have also previously attempted to file a police report regarding alleged threats made by a board member toward individuals in the community. At the time, I was initially denied the opportunity to file a report because I was told that, due to housing instability, I would need to file the report in the jurisdiction associated with a mailing address. After speaking directly with the Police Chief, he expressed concern regarding the manner in which that interaction had been handled and offered a sincere apology.

Taken together, these concerns raise legitimate questions regarding adherence to proper procedure, professional conduct, transparency, and respect for the rights of citizens to participate in public meetings.

Accordingly, I respectfully request that the Village Ethics Review Authority evaluate the conduct described above and determine whether it is consistent with the Village's ethical standards and expectations for appointed officials interacting with the public and with elected representatives.

If the Ethics Review Authority determines that a formal review is appropriate, I respectfully request that any hearing or review be conducted in a public forum so that members of the community may observe the proceedings and participate where

appropriate, consistent with the transparency principles underlying the Michigan Open Meetings Act.

I would welcome the opportunity to appear and present the documentation and video evidence supporting these concerns. I am prepared to present the evidence openly and allow my claims to be examined and challenged in a transparent setting.

I also believe it is appropriate that all parties involved, including the Executive Director referenced in this complaint, be given a fair opportunity to respond publicly so that the matter can be evaluated openly and fairly by the community.

At a minimum, it would be appropriate for the Executive Director to publicly acknowledge the importance of maintaining appropriate procedural boundaries during council meetings and affirm a commitment to respecting the public comment process and the authority of the presiding officer. A public statement to that effect would help reassure residents that Village meetings remain open, respectful, and accessible forums for citizen participation.

Video documentation of the incidents referenced above has been preserved and is available for review. I would be prepared to present this documentation if a public hearing is convened.

**Transparency Notice:**

Please note that this correspondence concerns the conduct of public officials during municipal proceedings and is submitted in the interest of transparency and public accountability. Communications relating to this matter may constitute public records subject to disclosure under the Michigan Freedom of Information Act, and I respectfully request that this complaint and any related correspondence be preserved accordingly.

Thank you for your time and consideration.

Francesco Komendera  
