

**CITY OF LATHRUP VILLAGE
OAKLAND COUNTY, MICHIGAN**

RESOLUTION NO. 2026-17

**A RESOLUTION DECIDING THE APPEAL OF JOSHUA HUNTER UNDER THE
MICHIGAN FREEDOM OF INFORMATION ACT, MCL 15.240**

At a regular meeting of the City Council of the City of Lathrup Village, Oakland County, Michigan, held on October 19, 2026, the following resolution was offered:

WHEREAS, on September 13, 2026, Joshua Hunter, 2240 Thomas Ave, Berkley, MI 48072 (the "Requester"), submitted a request under the Michigan Freedom of Information Act, MCL 15.231 et seq. ("FOIA"), for fiscal year 2025-26 revenue, expenditure and approved budget data through June 30, 2026, consisting of: (1) department revenues by general ledger ("GL") account; (2) department expenditures by GL account; (3) the 2026 original budget by GL account; (4) the 2026 amended budget by GL account; and (5) the percentage of budget used by GL account ("Items 1-5"); (6) the accounting-system Excel export file(s) containing Items 1-5 in native format ("Item 6"); and (7) the worksheet names, formulas, cell formats, column widths, hidden rows and columns, and named ranges of the Item 6 file(s) ("Item 7"); and

WHEREAS, on September 21, 2026, the City responded by referring the Requester to the budget materials in the City Council agenda packets posted online for Items 1-5, and by certifying under MCL 15.235(5)(b) that no responsive Excel export existed for Items 6 and 7; and

WHEREAS, on October 5, 2026, the Requester filed a written appeal addressed to the City Administrator; and

WHEREAS, under MCL 15.240(3), the City Council is considered to have received the appeal at its next regularly scheduled meeting following submission, which is October 19, 2026, and under MCL 15.240(2), the City Council must respond to the appeal in writing within 10 business days after receipt; and

WHEREAS, on October 9, 2026, the City's FOIA Coordinator, City Clerk Alisa Emanuel, issued a supplemental response transmitting to the Requester six native Excel files: (1) a Fiscal Year 2025-2026 revenue and expenditure report by GL account, including original budget, amended budget, activity, and percent of budget used, retrieved from the City's BS&A accounting system on October 6, 2026; (2) a BS&A Trial Balance Report for the period ending June 30, 2026; (3) the City Administrator's Fiscal Year 2025-2026 working budget spreadsheet; and (4)-(6) the City's Fiscal Year 2025-2026 mid-year, year-end, and final year-end budget amendment workbooks (together, the "Produced Files"); and

WHEREAS, in the October 9, 2026 supplemental response, the FOIA Coordinator also certified under MCL 15.235(5)(b) that, other than the Produced Files, no public record exists consisting of an Excel export from the City's accounting system of the information in Items 1-5, or of the Item 7 worksheet attributes of such an export; and

WHEREAS, under MCL 15.233(4) and (5), the FOIA does not require a public body to make a compilation, summary, or report of information, or to create a new public record, except as provided in those subsections.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lathrup Village as follows:

1. **Receipt of Appeal.** The City Council receives the Requester's October 5, 2026 appeal as of October 19, 2026, under MCL 15.240(3).

2. **Items 1-6.** To the extent the City's September 21, 2026 response denied any portion of Items 1-6, that denial is reversed. The City Council finds that the City has provided the public records responsive to Items 1-6 through the Produced Files. The City's production of records created after the date of the request, namely the file generated from BS&A on October 6, 2026 and the Trial Balance Report, was voluntary and does not waive MCL 15.233(4) or (5).

3. **Item 7.** The City Council finds that the worksheet attributes requested in Item 7 are contained in the native Produced Files. To the extent Item 7 seeks any record other than the Produced Files, the City Council upholds the denial on the ground that no such public record exists, and adopts the FOIA Coordinator's October 9, 2026 certification under MCL 15.235(5)(b).

4. **Notice of Right to Judicial Review.** Because the denial is upheld in part, the Requester is notified that, under MCL 15.240(1)(b), the Requester may seek judicial review of this determination by commencing a civil action in the Oakland County Circuit Court within 180 days after the City's final determination. If the court determines that the City has not complied with the FOIA and orders disclosure of all or a portion of a public record, the Requester may be entitled to reasonable attorneys' fees, costs and disbursements, and damages, under MCL 15.240(6) and (7).

5. **Transmittal.** The City Clerk is directed to send a certified copy of this resolution to the Requester within the time required by MCL 15.240(2).

Moved by: _____

Supported by: _____

Yeas: _____

Nays: _____

Absent: _____

RESOLUTION DECLARED ADOPTED.

CERTIFICATION

I, Alisa Emanuel, the duly appointed City Clerk of the City of Lathrup Village, Oakland County, Michigan, certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lathrup Village at a regular meeting held on October 19, 2026, the original of which is on file in my office, and that the meeting was held and notice of the meeting was given in accordance with the Open Meetings Act, 1976 PA 267, MCL 15.261 et seq.

Alisa Emanuel, City Clerk
City of Lathrup Village

Dated: _____, 2026