

Regular Meeting Of Lansing City Council

Tony Benavides Lansing City Council Chambers
David C. Hollister Lansing City Hall
124 W. Michigan Avenue, 10th Floor
Lansing, Michigan



Agenda for May 10, 2021 at 7:00 PM

Due to public safety concerns resulting from the COVID-19 Pandemic, this meeting will be conducted via Zoom Conferencing using [Meeting ID 859 4003 6219](#) or call (312) 626-6799 and enter Meeting ID 859 4003 6219

ROLL CALL

Roll Call

MEDITATION AND PLEDGE OF ALLEGIANCE

APPROVAL OF PRINTED COUNCIL PROCEEDINGS

1. May 3, 2021

CONSIDERATION OF LATE ITEMS (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)

TABLED ITEMS

SPECIAL CEREMONIES and PRESENTATIONS

COMMENTS BY COUNCIL MEMBERS AND CITY CLERK

COMMUNITY EVENT ANNOUNCEMENTS (Time, place, purpose, or definition of event – 1 minute limit)

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON LEGISLATIVE MATTERS

MAYOR'S COMMENTS

SHOW CAUSE HEARINGS

PUBLIC COMMENT ON LEGISLATIVE MATTERS (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes.) Those wishing to make public comments will need to raise their hands by the end of the first speaker's comments or submit written comments to city.clerk@lansingmi.gov by the end of the public comment period:

To use the "Raise Hand" function, you can:

- Dial *9 on a phone
- Click on "Raise Hand" icon in the chat room
- Press the "Alt" and "Y" keys at the same time for a Windows computer

- Press the "Option" and "Y" keys at the same time for Apple Computer

SCHEDULED PUBLIC HEARINGS

2. In consideration of an Ordinance to repeal Chapter 656, Section 656.05, a criminal misdemeanor prohibiting persons in closed parks (PEND-2299)
3. In consideration of an Ordinance to repeal Chapter 664, Section 664.01(b), a criminal misdemeanor that no person shall disturb the public peace and quiet by loud or boisterous conduct (PEND-2308)
4. In consideration of an Ordinance to amend Chapter 688, Section 688.05, a criminal misdemeanor that no person shall climb, peel, cut, deface, remove, injure or destroy any tree, in any street, highway, park or grassplot of the city (PEND-2324)
5. In consideration of an Ordinance to amend Chapter 688, Section 688.07, a criminal misdemeanor that no person shall bring animals, vehicles or bicycles onto any park or onto any grassplot in any street or deface the grounds of vegetation therein (PEND-2326)
6. In consideration of Noise Special Permit; Hoffman Bros. Inc. request to allow for Combined Sewer Overflow and Trunk Sewer Project along North Grand River Avenue on Saturdays from 8 a.m. to 5 p.m. from May 8 through October 30, 2021 (PEND-2419)
7. In consideration of Brownfield Plan #75 Amendment #2; Capital City Market and 637 E Michigan Ave. (PEND-2507)
8. In consideration of Public Act 425 Agreement; DeWitt Township (PEND-2446)

COUNCIL CONSIDERATION OF LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

ORDINANCES FOR PASSAGE

9. An Ordinance to repeal Chapter 622, Section 622.01, a criminal misdemeanor prohibiting drug paraphernalia (PEND-2282)
10. An Ordinance to repeal Chapter 630, Section 630.12, a criminal misdemeanor prohibiting loitering in places where controlled substances or drug paraphernalia is sold, used, etc. (PEND-2284)
11. An Ordinance to repeal Chapter 650, Section 650.05, a criminal misdemeanor regulating parental responsibility (PEND-2294)
12. An Ordinance to repeal Chapter 664, Section 664.02, a criminal misdemeanor under the general offenses code of the codified ordinances to eliminate that no person shall disturb, without lawful authority, any public assembly or meeting of persons (PEND-2312)
13. An Ordinance to amend Chapter 280 Section 280.03, to provide that the Elected Officers Compensation Commission shall meet in even-numbered years. (PEND-2395)

CONSENT AGENDA

14. Confirmation of Appointment; Terri Taylor as a Citizen Member of the Police & Fire Retirement Board of Trustees for a term to expire June 30, 2025 (PEND-2535)
15. Fireworks Display License; Lansing Lugnuts & Melrose Pyrotechnics, Inc. at Jackson Field Stadium, 505 E. Michigan Avenue on various dates (PEND-2525)

RESOLUTIONS FOR ACTION

16. Cabaret License Fees Wavier for 2021 (PEND-2527)
17. Grant Amendment; Services Training Officers Prosecutors (STOP) Grant from the Michigan Department of Health and Human Services (PEND-2533)
18. Grant Acceptance; Hazard Mitigation Competitive Grants (PEND-2534)
19. Memorializing the Michigan Legislature to adopt House Bill 4275 CROWN (Creating a Respectful and Open Workplace for Natural Hair) Act (PEND-2547)
20. Wet Weather Control Program Siphon 12 and Trunk Sewer Replacement Project (PEND-2484)
21. Claim Appeal; Claim #1828 for trash fee at 2009 South Pennsylvania by Muhammad Rais (PEND-2528)

REPORTS FROM COUNCIL COMMITTEES

ORDINANCES FOR INTRODUCTION and Setting of Public Hearings

SPEAKER REGISTRATION FOR PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS

REPORTS OF CITY OFFICERS, BOARDS, AND COMMISSIONS;

COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

(Motion that all items be considered as being read in full and that the proper referrals be made by the President)

Item(s) from the City Clerk re:

22. Capital Area District Library 2020 Annual Report
23. General Fund Status Report; Fiscal Year 2020-2021 Second Quarter
24. Vacancy Factor Report of Open Positions for Fiscal Year 2020-2021
25. Liquor License Approval; Salt Brewing Company, LLC for a new micro brewer, small wine maker, small distiller, beer and wine tasting, on-premises tasting room, Sunday sales (AM), Sunday sales (PM), dance, entertainment, and outdoor service permits at 517 W. Ionia Street (PEND-2526)

Item(s) from the Mayor re:

26. Orders to Make Safe or Demolish Orders to the owners of property located at 2109 Worden (PEND-2545)

27. Setting a Show Cause Hearing; Make Safe or Demolish Orders to the owners of property located at 2109 Worden (PEND-2544)
28. Make Safe or Demolish Orders to the owners of property located at 1412 W. Ionia Street (PEND-2543)
29. Setting a Show Cause Hearing; Orders to Make Safe or Demolish Orders to the owners of property located at 1412 W. Ionia Street (PEND-2542)
30. Ordinance; Amend Chapter 1610 – Uniform Fire Code and Uniform Fire Code Standards (PEND-2541)
31. Setting a Public Hearing; Ordinance to Amend Chapter 1610 – Uniform Fire Code and Uniform Fire Code Standards (PEND-2551)
32. Grant Acceptance; Community Energy Management Grant for the purposes of assessment for installation of solar power on four Lansing Community Centers (PEND-2540)
33. Workers Comp Settlement; Claim # 206287601126 (PEND-2550)
34. Maureen Saxton as an At-Large Member of the Economic Development Corporation/Tax Increment Finance for a term to expire June 30, 2027 (PEND-2548)

Communications and Petitions

35. Communications in support of Rank Choice Voting for City Elections
36. Communication from Kathy Miles in opposition of Rank Choice Voting

MOTION OF EXCUSED ABSENCE

REMARKS BY COUNCIL MEMBERS

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes.) Those wishing to make public comments will need to raise their hands by the end of the first speaker's comments or submit written comments to city.clerk@lansingmi.gov by the end of the public comment period:

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Various affidavits of publications and actual notices

ADJOURNMENT



Chris Swope, City Clerk

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TTY 711). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation request.

LANSING CITY COUNCIL MEETING

DATE & TIME: 05/10/21-7:00 PM

Starting Time_____

REGULAR MEETING: X

SPECIAL MEETING:

ATTENDANCE

COUNCIL MEMBER	PRESENT	ABSENT	ARRIVED
BETZ	☐	☐	_____
DUNBAR	☐	☐	_____
GARZA	☐	☐	_____
HUSSAIN	☐	☐	_____
JACKSON	☐	☐	_____
SPADAFORE	☐	☐	_____
SPITZLEY	☐	☐	_____
WOOD	☐	☐	_____

MEDITATION IN MEMORY OF: _____

PLEDGE LED BY: _____

Adjournment Time_____

CHRIS SWOPE
LANSING CITY CLERK

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, May 10, 2021 at 7:00 p.m. via ZOOM Conferencing, Meeting ID 859 4003 6219 for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, for the purpose of amending Chapter 656, Section 656.05, to provide that the penalty for violation of this ordinance shall be a municipal civil infraction.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website <https://us02web.zoom.us/j/85940036219> or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

ORDINANCE NO. [REDACTED]

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL
CHAPTER 656, SECTION 656.05, A CRIMINAL MISDEMEANOR UNDER THE GENERAL
OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE PROHIBITION OF
PERSONS IN CLOSED PARK.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 656, Section 656.05, of the Code of Ordinances of the City of
Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no
effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules
inconsistent with these provisions are hereby repealed in its entirety and shall be null and void
and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be
invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof
other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless
given immediate effect by City Council.

Approved as to form:

City Attorney

Date: _____

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An Ordinance of the City of Lansing, Michigan, for the purpose of amending Chapter 664, Section 664.01, by repealing subsection b, prohibiting loud and boisterous conduct.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website <https://us02web.zoom.us/j/85940036219> or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

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Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 664, SECTION 664.01(b), A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE THAT NO PERSON SHALL DISTURB THE PUBLIC PEACE AND QUIET BY LOUD OR BOISEROUS CONDUCT.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 664, Section 664.01(b), of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

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CHAPTER 688, SECTION 688.05, A CRIMINAL MISDEMEANOR UNDER THE GENERAL
OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE THAT NO
PERSON SHALL CLIMB, PEEL, CUT, DEFACE, REMOVE, INJURE OR DESTROY ANY
TREE, IN ANY STREET, HIGHWAY, PARK OR GRASSPLOT OF THE CITY.

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Approved as to form:

City Attorney

Date: _____

April 28, 2021

RE: Notification of Public Hearing for a Waiver of the Noise Ordinance

Dear Resident:

As you are aware, utility work is currently taking place on N. Grand River Ave., North Street and other streets within the CSO 016/017 Project Area. In order to keep the project on schedule and reduce the time construction will impact your neighborhood, the City of Lansing Public Service Department has requested, on behalf of the contractor, a noise waiver to permit work on Saturdays from 8:00AM to 5:00PM.

The Lansing City Council will hold a public hearing on Monday, May 10, 2021, at 7:00PM to provide residents with an opportunity to comment on this noise waiver request. Due to social distancing requirements, the hearing will be held via remote video/audio conferencing with the following link/address: <https://us02web.zoom.us/j/85940036219> (w/Meeting ID: 859 4003 6219). Written comments may also be submitted via e-mail to city.council@lansingmi.gov or by mail to Lansing City Council, 124 W. Michigan Avenue, 10th Floor, Lansing MI 48933.

If you have any questions regarding the project, or this noise waiver request, please feel free to contact Alec Malvetis, the City's Project Engineer, at (517) 282-1356. Thank you.

April 28, 2021

RE: Notification of Public Hearing for a Waiver of the Noise Ordinance

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City of Lansing Public Service
124 W Michigan Ave 7th Floor
Lansing, MI 48933



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BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a public hearing was held on Monday, April 26, 2021, in consideration of the request by Hoffman Bros., Inc., the construction contractor for the Combined Sewer Overflow 016/017 Trunk Sewer Project, for issuance of a waiver of the noise ordinance on Saturdays from 8:00 AM to 5:00 PM for the period May 8, 2021, through October 30, 2021; and

WHEREAS, this project includes a significant amount of work on the State of Michigan business trunkline road, Business Loop (BL) I-96 / N. Grand River Ave./North St., and on City major and local streets within the project area; and

WHEREAS; this work must be completed in a single construction season prior to a Michigan Department of Transportation road resurfacing project on this State trunkline, BL I-96 / N. Grand River Ave./North St., in early 2022; and

WHEREAS; the utility work in the BL I-96 / N. Grand River Ave./North St. intersection is atypically deep (i.e., approximately 25 feet deep) resulting in full closure to all vehicular traffic of this major street intersection; and

WHEREAS, the construction contractor, Hoffman Bros., Inc., is required to complete all work within the BL I-96 / N. Grand River Ave./North St. intersection and reopen this State business trunkline to through traffic within sixty (60) calendar days; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be granted the requested noise waiver in order to:

- limit the amount of time local access for property owners is impacted;
- limit the amount of time that vehicular traffic will be detoured; and
- keep the project on-schedule; and

WHEREAS, no substantive written or verbal comments in opposition to this noise waiver were received from anyone within the project area at the public hearing or during the public comment period.

NOW THEREFORE BE IT RESOLVED that the City Council grant a waiver of the noise ordinance for construction noise at (BL) I-96/N. Grand River/North St. on Saturdays from 8:00 AM to 5:00 PM for the period May 8, 2021, through October 30, 2021.

BE IT FINALLY RESOLVED that the City Council finds that such noise waiver is appropriate because the construction operation is temporary in duration and cannot timely be done in a manner that would comply with the noise ordinance, no reasonable alternative is available to the applicant, and the noise created will not unreasonably damage or endanger the health, safety, or welfare of the public.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday, May 10, 2021 at 7:00 p.m., via ZOOM Conferencing, <https://us02web.zoom.us/j/85940036219> or by dialing 312-626-6799 using meeting ID: 859 4003 6219 for the purpose stated below:

To afford an opportunity for all residents, taxpayers of the City of Lansing, other interested persons and ad valorem taxing units to appear and be heard on the approval of Brownfield Plan #75 Amendment #2 – Capital City Market and 637 E. Michigan Ave Brownfield Redevelopment Project pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as Capital City Market and 637 East Michigan Avenue, located in the City of Lansing, but more particularly described as:

Parcel 636 E. Michigan Avenue: A parcel of land in Block 242, Original Plat, City of Lansing, Ingham County, Michigan, and recorded in Liber 2 of Plats, Page 36, Ingham County Records, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, and in Barnard's Subdivision on Lots 2, 3, and 4, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 32, Ingham county Records, the surveyed boundary of said parcel described as: Beginning at the Northwest corner of said Connard's Subdivision 425.18 feet (recorded as 425.04 feet) to the Northeast corner of said Connard's Subdivision; thence S00°06'32"W along the East line of said Connard's Subdivision, the East line of said Block 242, and the East line of said Barnard's Subdivision 521.16 feet to the Southeast corner of Block 1, said Barnard's Subdivision; thence N89°29'27"W along the South line of said Block 1 a distance of 429.20 feet (recorded as 429.00 feet) to the Southwest corner of said Block 1; thence N00°33'03"E along the West line of said Barnard's Subdivision 121.50 feet to the Northwest corner of Block 1 of said Barnard's Subdivision; thence S89°28'38"E along the North line of said Block 1 of Barnard's Subdivision 135.00 feet to the East line of the West 135 feet of said Lot 2, Block 242; thence N00°33'03"E along said East line 78.23 feet to the south line of the North 8 feet of said Lot 2, Block 242; S89°18'57"E along said South line 30.00 feet to the Southerly extension of the East line of Lot 23, said Connard's Subdivision; thence N00°33'03"E along said Southerly extension of the East line of said Lot 23 and the East line of Lots 23, 22, 21, and 20, said Connard's Subdivision 155.45 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West line of said Connard's Subdivision; thence N00°33'03"E along said West line 155.83 feet to the point of beginning; said parcel containing 4.24 acres, more or less, said aprcel subject to all easements and restrictions, if any; and

Parcel 119 S. Larch Street: Lots 20, 21 & 22, except the North 16.5 feet of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, also except

a parcel of land being part of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, the boundary of said parcel described as: Commencing at the Northwest corner of said Connard's Subdivision; thence S00°33'03"W along the West line of said Connard's Subdivision 142.49 feet to a point 16.5 feet South of the Northwest corner of said Lot 20 and the point of beginning of this description; thence S89°26'46"E parallel with the North line of said Lot 20 a distance of 165.00 feet to the East line of said Lot 20; thence S00°33'03"W along said East line 23.91 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West of said Connard's Subdivision; thence N00°33'03"E along said West line 13.34 feet to the point of beginning; said parcel containing 0.44 acre, more or less; said parcel subject to all easements and restrictions, if any.

Parcel 637 E. Michigan Avenue: Part of Lot 39, Assessor's Plot No. 36 of Block 243, Original Plat, as recorded in Liber 11, Page 18, Ingham County Records and part of vacated East Street described as: Commencing 107.75 feet North of the East 1/4 corner of Section 16, Town 4 North, Range 2 West, thence West 46.6 feet, thence South 50 feet to the North line of Michigan Avenue, thence West to the East line of Pere Marquette Drive at a point 123.75 feet West of the East line of said Section 16, thence North 88 feet; thence North 09 degrees 48 minutes 53 seconds East 41.25 feet, thence North 03 degrees 20 minutes 18 seconds East 71.04 feet, thence North 00 degrees 05 minutes 20 seconds East 392.91 feet, thence East 112.28 feet to the East line of said Section 16, thence South 542.58 feet to the Point of Beginning.

Approval of this Brownfield Plan will enable the Lansing Brownfield Redevelopment Authority to capture incremental tax increases which result from the redevelopment of the property to pay for costs associated therewith. Further information regarding this issue, including maps, plats, and a description of the brownfield plan will be available for public inspection and may be obtained from Karl Dorshimer – Vice President of Economic Development, Lansing Economic Area Partnership, 1000 South Washington, Suite 201, Lansing, MI 48912, (517) 702-3387.

NOTE: States of emergency declared by the Mayor and approved by City Council have led to a closure of City Hall to public at this time due to COVID-19. Public observation and participation may be facilitated electronically in accordance with the Open Meetings Act as amended, in an effort to protect the health and safety of the public.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meetings using the website <https://us02web.zoom.us/j/85940036219> or by dialing 312-626-6799 using meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

RESOLUTION APPROVING BROWNFIELD PLAN #75 AMENDMENT #2 – CAPITAL
CITY MARKET AND 637 E. MICHIGAN AVE. BROWNFIELD REDEVELOPMENT
PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the ‘Authority’) of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the ‘Act’) has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, Brownfield Plan #75 Amendment #2 – Capital City Market and 637 E. Michigan Ave. Brownfield Redevelopment Project (the ‘Plan’); and

WHEREAS, a public hearing was held by the Lansing City Council on **[INSERT DATE]** and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on **[INSERT DATE]** reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
3. the Project may result in total new private investment of approximately \$44,600,000,
4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on April 9, 2021, unanimously recommended approval of the Plan, for this Project, as amended;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- The Plan constitutes a public purpose under the Act;

- The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves Brownfield Plan #75 Amendment #2 – Capital City Market and 637 E. Michigan Ave. Brownfield Redevelopment Project.

CITY OF LANSING BROWNFIELD REDEVELOPMENT AUTHORITY

BROWNFIELD PLAN #75 AMENDMENT #2

**CAPITAL CITY MARKET
LOCATED AT 636 E. MICHIGAN AVENUE AND A PORTION OF
119 S. LARCH STREET, AND 637 E. MICHIGAN AVENUE,
LANSING, MICHIGAN**

April 2, 2021

Approved by BRA:
Approved by City Council:

Prepared on Behalf of:

**600 E. Michigan-Lansing, LLC
600 E. Michigan, LLC**
330 Marshall Street, Suite 100
Lansing, MI 48912
Contact Person: Mr. Pat Gillespie, President
Telephone: (571) 333-4123

Prepared By:

PM Environmental, Inc.
3340 Ranger Road
Lansing, MI 48906
Contact Person: Jessica DeBone
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Appendix A	Legal Description
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TABLES

Table 1: Estimated Costs of Eligible Activities
Table 2: Tax Increment Financing Capture
Table 3: Tax Increment Financing Reimbursement

PROJECT SUMMARY

Project Name:	Capital City Market and 637 E. Michigan
Project Location:	The property is located at 636 East Michigan Avenue and a portion of 119 South Larch Street, and 637 East Michigan Avenue in Township four north (T.4N), Range two west (R.2W), Section 16, Lansing, Ingham County Michigan 48912 (the "Property").
Type of Eligible Property:	The property is determined to be a "Facility" and "adjacent or contiguous" to a "Facility"
Eligible Activities:	Pre-Approved Activities, Department Specific Activities, Demolition, Asbestos and Lead Activities, Infrastructure Improvements, Site Preparation, and Preparation and Implementation of a Brownfield Plan and Act 381 Work Plan.
Developer Reimbursable Costs:	\$3,641,045 Eligible Activities \$502,786 15% Contingency <u>\$1,804,384 Estimated Interest</u> \$5,948,214 Total
Years to Complete Reimbursement :	21 years are estimated for reimbursement of Eligible Activities; however, reimbursement may occur up to 30 years from the start of capture.
Estimated Capital Investment:	Total investment of \$41.5 million associated with Capital City Market; approximately \$25 million in developer investment and an additional \$16.5 million by the hotel developer. An additional \$3.1 million in investment is anticipated for the 637 E. Michigan portion of the project.
Project Overview:	The Capital City Market project entails a four-story mixed used development consisting of an urban market, hotel and market rate residential apartments. The building consists of an approximate 48,000 square foot footprint (i.e. first floor area) with just under 35,000 square feet on each of the additional floors. The anchor tenant is an urban market operated by Meijer. Designed to create an open-air atmosphere, the market features garage doors that roll up to allow fresh produce to be placed on the sidewalks. In addition to fresh and frozen food options, the market has a coffee shop, and healthy grab and go food items. The project at 637 East Michigan entails the renovation and revitalization of the iconic Union Depot along the Michigan Avenue Corridor. The approximate 5,900 square foot building will undergo

significant renovation to maximize its usable space and turn the property into a multi-tenant destination, with up to three users. A letter of intent has been executed with Starbucks, who would occupy approximately half of the building. A drive-thru configuration will be added on the west side of the building to accommodate Starbucks as an anchor tenant. Outdoor patio space will be offered and improvements within the existing parking area will take place to create a more walkable environment. A public parklet along Michigan Avenue with greenery, and shade features will be added to allow the public a place to stop, rest, and enjoy the surrounding area. The overall investment will go towards maintaining a landmark within the City.

It is estimated that Capital City Market created 70 temporary construction jobs, 30 new full time and 10 part time jobs by the urban market and 9 full time and 21 part time jobs associated with the hotel. It is estimated that the 637 E. Michigan portion of the project will create approximately 20 temporary construction jobs, 10 new full time equivalent (FTE) jobs associated future tenant(s).

Together, these projects will act as a catalyst for future growth and investment along the Michigan Avenue corridor, having an immediate impact on surrounding property values, eliminating the neighborhood's status as a low access area (formerly referred to as food desert), and improving walkability in Lansing's downtown urban core.

Amendment Summary:

Amendment #1 of this Plan was requested and approved to extend the property boundaries approved under the originally approved Brownfield Plan. This was a result of the developer's acquisition of .05 acres from parcel 33-01-01-16-428-092 and an easement consisting of .01 acres from the same parcel. The acquisition and easement allowed the developer to control costs on the project as a result of unforeseen foundations on this portion of the property that would have required extensive shoring activities that were not economical to the overall development. The amendment did not result in a change in the overall total estimated eligible activities. However, eligible activities did occur within the extended boundary of the project.

Amendment #2 is made possible due to the success of maximizing grant funding through EGLE and maintaining an efficient project budget on the Capital City Market development. Because of this success, the Developer proposes to continue to redevelop other properties adjacent and near the Capital City Market development. Amendment #2 proposes to include as eligible property, the

PM Environmental, Inc.

Page 2

***Brownfield Plan for the Proposed Capital City Market and 637 E. Michigan Development
Located at 636 E. Michigan Avenue and a portion of 119 S. Larch Street, and 637 E. Michigan Avenue,
Lansing, Michigan
PM Environmental, Inc. Project No. 01-9216-0-0004; September 27, 2018;
Amendment #1, September 25, 2019
Amendment #2, April 2, 2021***

adjacent parcel known as 637 East Michigan Avenue, while reconciling the approved Eligible Activities under the Plan based on what is estimated to be requested for reimbursement for Capital City Market and the estimated Eligible Activities for 637 East Michigan. Based on the Capital City Market project's efficiencies, the Developer reimbursement period is anticipated to be shorter than originally estimated, resulting in new taxes for the TIFA and taxing jurisdictions sooner. Amendment #2 will enable additional investment along the Michigan Avenue corridor, supporting the overall revitalization of the corridor and the surrounding Stadium District within the City. The property is eligible to be included within the Plan as it is "adjacent and contiguous" to an eligible parcel, as defined by Public Act 381, as amended. A map is provided below for reference of parcel location.



Total New Taxes Generated:

**Brownfield Plan for the Proposed Capital City Market and 637 E. Michigan Development
Located at 636 E. Michigan Avenue and a portion of 119 S. Larch Street, and 637 E. Michigan Avenue,
Lansing, Michigan
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Amendment #1, September 25, 2019
Amendment #2, April 2, 2021**

Uses over the life of the Brownfield Plan (21 years)	Taxes Captured
Portion Captured to Reimburse Developer	\$5,948,214
Portion Captured for Lansing Brownfield Redevelopment Authority (LBRA) (Administration and Local Brownfield Revolving Fund)	\$543,925
Portion Captured for State Brownfield Fund	\$299,323
Total Captured	\$6,791,461
10% Passed-Through to TIFA or Taxing Units*	\$779,773
Total New Taxes Generated	\$7,571,234

*TIFA is currently estimated to expire in 2039

Uses of Captured Taxes:

Uses over the life of the Brownfield Plan (21 years)	Taxes Captured
Reimbursement to Developer for Eligible Activity Costs	\$3,641,045
Reimbursement to Developer for Contingency (15%) on Eligible Activity Costs*	\$502,786
Reimbursement to Developer for Interest on Eligible Activity Costs**	\$1,804,384
Developer Eligible Reimbursement Total	\$5,948,214
LBRA Administration Fees and LBRA Local Brownfield Revolving Fund (LBRF)	\$543,925
State Brownfield Fund	\$299,323
Total Captured	\$6,791,461

*15% Contingency excludes preparation of Brownfield Plan/381 Work Plan and Pre-Approved Activities

**Interest is an estimate calculated at 5%

I. INTRODUCTION AND PURPOSE

In order to promote the revitalization of environmentally distressed, historic, functionally obsolete and blighted areas within the boundaries of Lansing (the “City”), the City has established the Lansing Brownfield Redevelopment Authority (LBRA) (the “Authority”) pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, as amended (“Act 381”).

The purpose of this Brownfield Plan (the “Plan”) is to promote the redevelopment of and investment in the eligible “Brownfield Property” within the City and to facilitate financing of eligible activities at the Brownfield Property. Inclusion of Brownfield Property within any Plan in the City will facilitate financing of eligible activities at eligible properties and will provide tax incentives to eligible taxpayers willing to invest in revitalization of eligible sites, commonly referred to as “Brownfields.” By facilitating redevelopment of the Brownfield Property, this Plan is intended to promote economic growth for the benefit of the residents of the City and all taxing units located within and benefited by the Authority.

The identification or designation of a developer or proposed use for the Brownfield Property that is subject to this Plan shall not be integral to the effectiveness or validity of this Plan. This Plan is intended to apply to the eligible property identified in this Plan and, to identify and authorize the eligible activities to be funded. Any change in the proposed developer or proposed use of the eligible property shall not necessitate an amendment to this Plan, affect the application of this Plan to the eligible property, or impair the rights available to the Authority under this Plan.

This Plan is intended to be a living document, which may be modified and/or amended as submitted by the developer and as approved by the LBRA and Lansing City Council, in accordance with and as necessary to achieve the purposes of Act 381. The applicable sections of Act 381 are noted throughout the Plan for reference purposes.

This Plan contains information required by Section 13(1) of Act 381, as amended

II. GENERAL PROVISIONS

A. Description of the Eligible Property (Section 13 (2)(h)) and Project

The Capital City Market portion of the project consists of three (3) legal parcels and an easement, following multiple combinations and splits. These parcels along with the easement are outlined in the table below and total approximately 4 acres.

The 637 E. Michigan portion of the project consists of one (1) legal parcel, which is included in the table below and totals 1.51 acres.

The parcels and all tangible personal property located thereon will comprise the eligible property and is referred to herein as the “Property.” The Property is located on the Michigan Avenue corridor, bounded by commercial and vacant properties to the north, railroad tracks to the east, Barnard Street to the south, and South Larch Street to the west.

**Brownfield Plan for the Proposed Capital City Market and 637 E. Michigan Development
Located at 636 E. Michigan Avenue and a portion of 119 S. Larch Street, and 637 E. Michigan Avenue,
Lansing, Michigan
PM Environmental, Inc. Project No. 01-9216-0-0004; September 27, 2018;
Amendment #1, September 25, 2019
Amendment #2, April 2, 2021**

Individual parcel and easement information is outlined below and legal descriptions are included within Appendix A and Property location maps are included in Appendix B.

Description of Former Individual Parcels (now combined), Easement and 637 East Michigan Avenue			
Property Address	Former Parcel ID (now combined under 33-01-01-16-428- 301, 302, and 303)	Acreage	Most Recent Prior Use
600 East Michigan Avenue	33-01-01-16-428-081	.379	Vacant - Former Gas Station
612-614 East Michigan Avenue	33-01-01-16-428-061	.225	Former Auto Service
622 East Michigan Avenue	33-01-01-16-428-051	.056	Vacant Former commercial
624 East Michigan Avenue	33-01-01-16-428-041	.056	Vacant Former commercial
626 East Michigan Avenue	33-01-01-16-428-031	.056	Vacant Former commercial/office
628 East Michigan Avenue	33-01-01-16-428-021	.056	Vacant Former commercial/office
117 South Larch Street	33-01-01-16-428-100	.233	Vacant Former storage/warehouse
636 East Michigan Avenue	33-01-01-16-428-002	1.821	Surface Parking
Formerly 139 South Larch Street	33-01-01-16-428-141	.126	Vacant
145 South Larch Street	33-01-01-16-428-151	.084	Vacant Former Residential
147 South Larch Street	33-01-01-16-428-161	.084	Vacant Former Residential
611 Barnard Street	33-01-01-16-428-171	.084	Vacant Former Residential
Formerly 613 Barnard Street	33-01-01-16-428-181	.117	Vacant
619 Barnard Street	33-01-01-16-428-191	.117	Vacant Former Residential
Formerly 621 Barnard Street	33-01-01-16-428-201	.117	Vacant
625 Barnard Street	33-01-01-16-428-211	.117	Vacant Former Residential
629 Barnard Street	33-01-01-16-428-221	.117	Vacant Former Residential
633 Barnard Street	33-01-01-16-428-231	.117	Vacant Garage
No Address	33-01-01-16-428-901	.044	Vacant Alleyway
Portion of 119 South Larch Street	Portion of 33-01-01-16-428-092	.063	Vacant
Portion of 119 South Larch Street	Portion of 33-01-01-16-428-092 now combined with 33-01-01-16-428- 301, 302, and 303	.05	Vacant
Property Address	Parcel ID	Acreage	Most Recent Prior Use
Portion of 119 South Larch Street (Easement)	Portion of 33-01-01-16-428-092	.01	Vacant
Property Address	Parcel ID	Acreage	Most Recent Prior Use
637 East Michigan Ave	33-01-01-16-227-403	1.51	Vacant former Restaurant

600 E. Michigan-Lansing, LLC, 637 E Michigan, LLC development entities of Gillespie Group, or any affiliate, or such other developer as approved by the Authority, are collectively the project developer ("Developer").

Gillespie Group (“GG”) was founded by Patrick Gillespie and is led by a team of experienced professionals. GG specializes in creative urban development, revitalizing communities, and pursuing excellence in all that they do. With an eye to the future, the team takes creative risks, visualizing energetic spaces that breathe new life into city neighborhoods. The group’s diverse, statewide portfolio includes more than 1,890 residential units and over 685,000 square feet of commercial/retail space. Much of GG’s demonstrated success is in Lansing with urban renewal projects such as The Outfield, Marketplace, Lansing Brewing Company and Stadium District. Bold, innovative designs and a transformative vision for a better Michigan are at the heart of each effort GG takes on, which is exactly the vision for the Project, referred to as Capital City Market and 637 E. Michigan.

Capital City Market Parcels – Historical Use and Project Description

The Property was developed with a 3,616 square foot automotive service garage building (formerly identified as 612-614 East Michigan Avenue) constructed in 1930, four retail buildings (formerly identified as 622-628 East Michigan Avenue) totaling 8,654 square feet constructed in 1900, a warehouse building (formerly identified as 117 South Larch Street) totaling 5,520 square feet constructed in 1946, six residential dwellings (formerly identified as 145-147 South Larch Street and 611-629 Barnard Street) totaling 9,720 square feet constructed between 1884 and 1916, and a garage building (formerly identified as 633 Barnard Street) totaling 960 square feet constructed in 1983 and is in area characterized by commercial and residential uses. The Property is currently zoned G1: General Commercial and permits the project’s use.

The northeastern portion of the Property (formerly identified as 636 East Michigan Avenue) was occupied by lumber storage for Hall Lumber Company from at least 1892 to 1898. By 1950, a larger office building, occupied by Lewis Fuel Oil Company was constructed. The Lewis Fuel Oil office building was demolished between 1994 and 1997, and prior to redevelopment this portion of the Property was occupied by a surface parking lot since that time.

The first north-central portion of the Property was occupied by four storefront buildings (formerly identified as 622-628 East Michigan Avenue). The two eastern buildings were constructed prior to 1892. The two western storefront buildings were constructed between 1906 and 1913. A majority of the former occupants have included various retail, medical, and professional office tenants, with the exception of 622 and 624 East Michigan Avenue. The storefront buildings, formerly identified as 622 East Michigan Avenue and 624 East Michigan Avenue, were occupied by a radiator shop from at least 1935 to 1959 and a glassworks shop from at least 1945 to 1964, respectively.

The second north-central portion of the Property was occupied by an automotive service building (formerly identified as 612-614 East Michigan Avenue), which was constructed by 1930 as a gasoline service station. Gasoline dispensing operations ceased in approximately the mid-1950s and the Property has been occupied by an automotive service business since the early 1960s. Three orphan gasoline underground storage tanks (USTs) with capacities between 1,000 and 1,500 gallons were present on the former 612-614 East Michigan Avenue parcel of the Property.

The northwestern parcel of the Property (formerly identified as 600 East Michigan Avenue) was most recently characterized by a vacant lot with four (4) USTs that were not in use prior to redevelopment. An auto sales and service building was constructed in the south-central portion by 1950 and was demolished by the early 1970s. A former convenience store building associated with a retail gasoline station was constructed in the early 1970s, with a car wash building constructed in 1995. All of the former buildings were demolished in 2012 and the property was vacant since that time, prior to redevelopment.

The central portion of the Property (formerly identified as 636 East Michigan Avenue) was occupied by Hall Lumber Company, Michigan Implement & Transfer Company and Butler-Langevin Lumber Company, from at least 1892 to 1988 with lumber and coal storage and planning, sash and door manufacturing and occupied by agricultural implements and engines and/or threshers. The former building located at 117 South Larch Street was constructed in 1946 and was utilized as storage in at least 1951 and boat storage and repair in at least 1966. All of the former buildings (with the exception of the remaining building at the time of redevelopment) were demolished by 1950 and the property was occupied by Lewis Fuel Oil Company from at least 1940 until the early 1990s with operations consisting of bulk petroleum and coal distribution. A garage building, with truck service operations was constructed by 1951 and demolished between 1997 and 1998. Six coal silos were present on the northeastern portion from 1950 until 1973 and various petroleum above ground storage tanks (ASTs) were present on the southern portion from 1950 to 1994. All of the former buildings were demolished (except the remaining building at the time of redevelopment) were demolished between 1994 and 1997, and the Property was vacant land and/or a surface parking lot since that time, prior to redevelopment.

The southern portion of the Property (formerly identified as 145-147 South Larch Street and 601-637 Barnard Street) was historically been occupied by various residential dwellings.

The Property was redeveloped with a four-story, mixed-used project consisting of an urban market, hotel and market rate residential apartments. This included consolidation of all of the parcels comprising the Property into a single parcel and demolition of all previously existing structures and improvements. The building now has an approximate 48,000 square foot footprint (i.e. first floor area) with just under 35,000 square feet on each of the additional floors. The anchor tenant is an urban market that with an open-air atmosphere featuring a coffee shop, fresh and frozen produce and healthy grab and go options. The building is positioned along Michigan Avenue with open air garage doors along a portion of the market, which assists in further activating the sidewalks.

The remainder of the ground floor, on the eastern portion of the property includes lobby and amenity space for a Marriott brand hotel. The hotel's amenities include a conference room/meeting space, lounge and bistro restaurant. The stories above will includes 122 guest rooms.

On the western portion of the property, occupying the second through fourth floors, are 40 market-rate residential apartment units. The units consist of studios, 1-bedroom units and 2-bedroom units.

The remainder of the Property (i.e., south and east of the mixed-use building) consists of ample parking for the residents and businesses with landscape features and trees throughout.

Demolition and site preparation activities began in early 2019, with completion of the urban market tenant in the fall of 2020 and the remainder of the development completed by winter 2020/2021. GG will invest an estimated \$25 million in the development with an additional \$16.5 million invested by the hotel. It is estimated that the project will create approximately 70 temporary construction jobs, 30 new full time jobs and 10 part time jobs by the urban market tenant and 30 new jobs associated with the hotel.

Preliminary site plans and renderings are included in Appendix C.

637 E. Michigan Parcel – Historical Use and Project Description

Historical records document that the Property was used as part of the east adjoining lumber yard as early as 1892 and contained three railroad tracks through the central portion of the parcel. Between 1892 and 1898, the first railroad passenger building was constructed in the central portion of the property and the railroad tracks were limited to an easement on the east side of the property. In 1902, the passenger building was rebuilt and moved slightly south of the original location and an express office was added to the north of the passenger building. The property ceased operations by 1972 and between 1974 and 1978, the express office was demolished, the railroad spur removed, and the passenger office became vacant. Following significant renovation, the property opened as a restaurant in 1979, and in 1999 with the help of a Lansing Economic Development Corporation Small Business Loan a rail car was added to the eastern portion of the building and used as a dining area. The restaurant, known as Clara's, and a household name throughout the Lansing Region operated for 37 years, closing in 2016.

Designed by the Detroit firm Spier and Rohns, the former Union Depot exemplifies turn-of-the-century, Tudor Revival style. While the Depot underwent many changes to be reinvented as a restaurant, it retained its original unique massing, decorative features, and historic fabric. The Union Depot was listed in the National Register of Historic Places in 1995.

The Developer proposes to again reinvent the building and surrounding property, while maintaining the historic character as best possible. While the project is not a historic preservation project and is not seeking historic tax credits, the historic look and charm will be retained while allowing for more modern uses. The building will undergo renovations to create up to three new tenant spaces complete with outdoor seating areas, proposed to be open to the public. A letter of intent is executed with Starbucks, who is proposed occupy nearly half of the building. As part of Starbucks' policy, seating both indoors and out, and use of available Wi-Fi and restroom space is open to anyone, even if they don't buy anything. The existing parking lot will receive new life through green spaces and urban public parklets. However, maintaining the property's character while converting the building for multiple tenants comes with significant challenges. The building will require replacement of structural components, due to some that are failing, and due to altering the building into separate user spaces and or user specific design specifications. Additional needs include a new roof, and new mechanicals, plumbing and electrical throughout. Asbestos containing building materials will need to be abated prior

to renovation activities including the roofing materials and flooring and mastic within the building.

Stabilization activities took place on the property following acquisition in 2016, which included selective demolition and asbestos abatement which are outlined within the attached Table 1. Future demolition and site preparation activities will begin in the summer of 2021, with completion by the summer of 2023. Total project investment is estimated to be \$3.1 million, including acquisition, hard and soft construction costs. It is estimated that the project will create approximately 20 temporary construction jobs, 10 new full time equivalent (FTE) jobs associated with future tenant(s).

The project will complement the Capital City Market development, adding to the vibrancy that has resulted and continuing to catalyze future development within the Stadium District. Starbucks as the anchor tenant, will bring an internationally branded coffee shop to the Capital City allowing a free space for both residents and visitors to gather. Additionally, it will increase amenities to residents and visitors, while allowing for the Union Depot to continue its legacy as a part of the City of Lansing.

Preliminary site plans and renderings are included in Appendix C.

B. Basis of Eligibility (Section 13 (2)(h) and Section 2(o))

The Property is considered “eligible property” as defined by Act 381, Section 2 because (a) the Property was previously utilized or is currently utilized for a commercial use; (b) it is located within the City of Lansing, a qualified local governmental unit under Act 381; (c) the Property is determined to be a “facility,” “property” and a “site”; and (d) the property is “adjacent and contiguous” to a “facility,” “property” and a “site.”

Capital City Market Parcels – Basis of Eligibility

The parcel formerly identified as 600 East Michigan Avenue is listed with the Department of Environment, Great Lakes and Energy (EGLE) as a closed Leaking Underground Storage Tank (LUST) site associated with three historical releases reported between 1990 and 1999. Regulatory closure was achieved for those releases between 1996 and 2000. However, residual gasoline contamination remains on the parcel.

The parcel formerly identified as 612-614 East Michigan Avenue is listed as an open LUST site due to a release of gasoline reported in December 2017 associated with three orphan USTs identified at that parcel. The parcel formerly identified as 636 East Michigan Avenue is also listed as an open LUST site, with three open releases of gasoline, used oil, and/or heating oil, which were reported between January and March of 1995.

Subsurface investigation activities conducted between 1995 and 2017 documented the presence of soil and groundwater contamination exceeding Part 201 Generic Cleanup Criteria (GCC) and Part 213 Risk-Based Screening Levels (RBSLs) on the following parcels formerly known as 600 East Michigan Avenue, 612-614 East Michigan Avenue, 636 East Michigan Avenue, and 117 South Larch Street.

The identified contaminants included various volatile organic compounds (VOCs), polynuclear aromatic compounds (PNAs) and metals, which exceed the Part 201/213 Residential and Nonresidential Drinking Water/Drinking Water Protection (DW/DWP), Groundwater Surface Water Interface/Groundwater Surface Water Interface Protection (GSI/GSIP), and Direct Contact (DC) GCC/RBSLs, and the EGLE Residential and Nonresidential Recommended Interim Action Screening Levels (RIASLs) for vapor intrusion.

Soil gas samples collected from the 600 East Michigan Avenue parcel of the Property in 2013 also identified gasoline VOC concentrations exceeding the EGLE Residential and Nonresidential RIASLs.

Based upon documented exceedances of the Part 201 GCC, Part 213 RBSLs, and EGLE RIASLs, and its status as an open LUST site, the Property is a “facility” as defined under Part 201, and a “property” and a “site” as defined under Part 213.

600 E. Michigan-Lansing, LLC conducted a Baseline Environmental Assessment for the Property, dated March 22, 2018, which was submitted to the Michigan Department of Environmental Quality (EGLE) to obtain liability protections for existing contamination at the time of purchase from the State of Michigan. Therefore, 600 E. Michigan-Lansing, LLC is not liable for existing contamination at the time of purchase.

637 E. Michigan Parcel – Basis of Eligibility

637 E. Michigan is considered “adjacent or contiguous” to a “facility,” “property” and a “site” and is estimated to increase the captured taxable value of that property.

Additional documentation and description of the Property’s eligibility is provided in Appendix D.

C. Summary of Eligible Activities and Description of Costs (Sec. 13 (2)(a-b))

The “eligible activities” that are intended to be carried out at the Property are considered “eligible activities” as defined by Section 2 of Act 381 and as permitted under the Brownfield Redevelopment Financing Act that include: Pre-Approved Activities, Department Specific Activities, Demolition, Asbestos Activities, Infrastructure Improvements, Site Preparation and preparation and implementation of a Brownfield Plan and Act 381 Work Plan. A complete itemization of these activities and associated expenses is included in Table 1. Letters inclusive of a greenfield analysis for urban storm water management costs and special foundations are included as Appendices E and F.

The following eligible activities and budgeted costs are intended as part of the development. All activities are intended to be “Eligible Activities” under the Brownfield Redevelopment Financing Act. The Authority is not obligated to reimburse any eligible activities conducted after July 1, 2023.

Brownfield Plan for the Proposed Capital City Market and 637 E. Michigan Development
Located at 636 E. Michigan Avenue and a portion of 119 S. Larch Street, and 637 E. Michigan Avenue,
Lansing, Michigan
PM Environmental, Inc. Project No. 01-9216-0-0004; September 27, 2018;
Amendment #1, September 25, 2019
Amendment #2, April 2, 2021

Eligible Activities	Total Estimated Costs	Local Only Act 381 Eligible Activities	MSF Act 381 Eligible Activities	EGLE Act 381 Eligible Activities
Pre-Approved Activities	\$109,140			\$109,140
Department Specific Activities	\$280,000	\$25,000		\$255,000
Demolition Activities	\$85,300	\$69,300	\$15,000	\$1,000
Asbestos Activities	\$41,820	\$40,820		1,000
Infrastructure Improvements	\$1,075,828	\$135,828	\$940,000	
Site Preparation	\$1,868,957	\$120,315	\$1,748,642	
Brownfield/Work Plan Preparation	\$180,000	\$120,000	\$15,000	\$15,000
Brownfield/Work Plan Implementation	\$40,000	\$10,000	\$15,000	\$15,000
Subtotal	\$3,641,045	\$518,363	\$2,733,642	\$389,040
15% Contingency*	\$502,786	\$58,689	\$405,546	\$38,550
Subtotal with Contingency	\$4,143,830	\$577,052	\$3,139,188	\$427,590
Interest**	\$1,804,384	\$365,596	\$1,302,561	\$136,227
Subtotal with Contingency and Interest	\$5,948,214	\$942,648	\$4,441,272	\$564,293

* 15% contingency excludes the cost of Pre-Approved activities and preparation of the Brownfield Plan and Act 381 Work Plan

**Interest is an estimate calculated at 5%,

Administrative Activities	
LBRA Admin Fee and LBRF (10% Annually)	\$543,925
State Brownfield Fund	\$299,323
Sub-Total	\$843,247
10% Pass Through (state and local)	\$779,773
Total	\$1,623,020

Eligible activities will be financed by 600 E. Michigan-Lansing, LLC and 637 E Michigan, LLC using any or all of: (i) conventional financing, (ii) tax increment revenue bonds (the “Bonds”) permitted under Section 17 of Act 381 and issued by the LBRA, (iii) an EGLE Grant and/or Loan which will be funded to the LBRA to pay the cost of certain of the eligible activities and (iv) a direct loan from the LBRA to pay the cost of certain eligible activities. The Developer will be reimbursed for eligible costs as described in Section C and outlined in Table 1. Costs for Eligible Activities funded by the Developer and the EGLE Loan will be repaid under the Michigan Brownfield Redevelopment Financing Program (Michigan Public Act 381, as amended) with incremental taxes generated by the Project. Tax increment revenues (“TIR”) generated by the Project will be captured by the LBRA and used either to reimburse the cost of the eligible activities as approved under this Plan and associated Reimbursement Agreement, EGLE Loan Agreement, and Development Agreement relating to the Project, or to pay debt service on the Bonds pursuant to a bond indenture. The Developer may also be reimbursed for eligible activities not financed by the EGLE Loan, the conventional financing, or the Bonds with TIR subject to the terms of the EGLE Loan Agreement, the Reimbursement Agreement, and/or a bond indenture.

Payments will be made to the full extent incremental property tax revenues are or become available for such purposes under Act 381. The costs listed in the table referenced above are estimated costs and may increase or decrease depending on the nature and extent of environmental contamination and other conditions encountered on the Property. In addition, the interest cost referenced above is an estimate and may increase or decrease depending on the actual incurred eligible activity costs and financing costs.

However, in no event shall the total reimbursed costs for eligible activities, and contingency exceed \$4,143,830 plus approved interest of \$1,804,384 (\$5,948,214 total) unless amended and approved by the LBRA and Lansing City Council.

D. Estimate of Captured Taxable Value and Tax Increment Revenues (Sec. 13 (2)(c))

Incremental taxes on real property will be captured under this Plan to reimburse eligible activity expenses. The base taxable value of the parcels associated with the Capital City Market portion of the project shall be determined by the use of the 2018 tax year tax values, which is \$517,438. Tax increment revenue capture will begin when tax increment is generated by redevelopment of the Property, which is expected to begin in 2021 or when full redevelopment is completed whichever occurs first. The estimated taxable value of this portion of the completed development is \$5,685,236, upon full completion. An annual increase in taxable value of 1% has been used for calculation of future tax increments in this Plan.

The base taxable value of the parcel associated with the 637 E. Michigan portion of the project shall be determined by the use of the 2021 tax year tax values, which is \$237,500. Tax increment revenue capture will begin when tax increment is generated by redevelopment of the Property, which is expected to begin in 2023 or when full redevelopment is completed whichever occurs first. The estimated taxable value of this portion of the completed development is \$392,800, upon full completion. An annual increase in taxable value of 1% has been used for calculation of future tax increments in this Plan.

Tables 2 and 3 detail the estimate of captured tax increment revenues for each year of the Plan from the Property.

TIR will also be used to pay or reimburse administrative expenses and the Local Brownfield Revolving Fund (LBRF) first, as outlined in the attached tables. In the event that the use of school tax revenues is not approved by the EGLE or MSF, as applicable, TIR will consist of local-only taxes (to the extent available).

E. Method of Brownfield Plan Financing and Description of Advances by the Municipality (Sec. 13 (2)(d)); Maximum Amount of Note or Bonded Indebtedness (Sec. 13 (2)(e))

It is anticipated that specific eligible activities will be financed by 600 E. Michigan-Lansing, LLC and 637 E Michigan, LLC using conventional financing or any one or more of the issuance of Bonds permitted under Section 17 of Act 381 and issued by the LBRA, an EGLE Grant and/or Loan, which will be funded to the LBRA to pay the cost of certain eligible activities, and an LBRA Loan to pay the cost of certain eligible activities. TIR generated by the Property will be captured by the LBRA and used to pay or reimburse the costs of the eligible activities as approved under this Plan and associated Reimbursement Agreement, LBRA Loan Agreement, EGLE Loan Agreement, Development Agreement and Bond Indenture. The Developer may also be reimbursed for eligible activities not financed by the EGLE Loan, the LBRA Loan, the conventional financing, or the Bonds with TIR, subject to the terms of the EGLE Loan Agreement, the LBRA Loan Agreement, the Reimbursement Agreement, and/or the bond indenture.

F. Duration of Brownfield Plan (Sec. 13 (2)(f))

In no event shall the duration of the Plan, exceed 35 years following the date of the resolution approving the Plan, nor shall the duration of the tax capture exceed the lesser of the period authorized under subsection (4) and (5) of Section 13 of Act 381 or 30 years. The Property will become part of this Plan on the date this Plan is approved by the Lansing City Council.

G. Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdictions (Sec. 13 (2)(g))

Tables 2 and 3 attached to this Plan provide the estimated TIR to be generated and captured under this Plan, for an estimated period of 21 years.

The total estimated cost of the eligible actives, contingency, interest, administrative fees, LBRF and State Brownfield Fund to be reimbursed or captured through use of TIR is projected to be up to \$6,791,461. Taxes will continue to be generated to the City's tax increment finance authority (TIFA) or taxing jurisdictions on local and school captured millages at the total base taxable value of \$754,938 starting in 2021 and throughout the duration of this Plan totaling approximately \$1,150,485 or \$54,785 annually starting in 2021 and throughout the duration of the Plan. The TIFA is currently estimated to expire in 2039.

Non-capturable millages, will see an immediate increase in new taxes generated following redevelopment and will provide new tax revenue of approximately \$580,823 throughout the duration of this Plan.

**Brownfield Plan for the Proposed Capital City Market and 637 E. Michigan Development
Located at 636 E. Michigan Avenue and a portion of 119 S. Larch Street, and 637 E. Michigan Avenue,
Lansing, Michigan
PM Environmental, Inc. Project No. 01-9216-0-0004; September 27, 2018;
Amendment #1, September 25, 2019
Amendment #2, April 2, 2021**

Ten percent of newly generated taxes will be captured for the TIFA or taxing jurisdictions on local and state school captured millages throughout the duration of this Plan totaling approximately \$779,773.

A summary of the estimated impact to taxing jurisdictions for the life of the Plan is summarized below.

Millage	Rate	Amount Captured (Eligible Activities, LBRA LBRF, LBRA Admin. Fee, State BF Fund)	Taxes from current base tax value for the TIFA and Taxing Jurisdictions	New Taxes Passed through to TIFA
State Education Tax (SET)	6.0000	\$518,384	\$95,122	\$58,962
School Operating Tax	18.0000	\$1,555,153	\$285,367	\$176,887
Subtotal	24.0000	\$2,073,537	\$380,489	\$235,849
Lansing Oper	19.4400	\$2,098,274	\$308,196	\$241,914
Lans Com College	3.8072	\$410,934	\$60,358	\$47,377
Ingham Intermed	4.7062	\$507,968	\$74,611	\$58,564
Ingham Cnty Sum	6.8000	\$733,964	\$107,805	\$84,620
Ingham County	3.2800	\$354,030	\$52,000	\$40,817
Airport Auth	0.6990	\$75,447	\$11,082	\$8,698
CATA	3.0070	\$324,563	\$47,672	\$37,419
CADL-Library	1.5600	\$168,380	\$24,732	\$19,413
Zoo Millage	0.4100	\$44,254	\$6,500	\$5,102
Subtotal	43.7094	\$4,717,815	\$692,956	\$543,925
Total Capturable Millages	67.7094	\$6,791,352	\$1,073,444	\$779,773
Non-Capturable Millages	Rate	New Taxes Generated	Taxes Preserved for Taxing Unit	New Taxes Generated
Lansing Debt	0.2600	\$28,063	\$4,122	NA
Lansing Sch Debt	4.6000	\$549,750	\$72,927	NA
Total Non-Capturable Millages	4.8600	\$580,823	\$77,049	

H. Legal Description, Property Map, Statement of Qualifying Characteristics and Personal Property (Sec. 13 (2)(h))

The legal description of the Property included in this Plan is attached in Appendix A.

Property location maps are included in Appendix B.

Documentation of characteristics that qualify the Property as eligible property is provided in Appendix D.

Personal property may be included as part of the eligible property to the extent that it is taxable personal property.

I. Displacement/Relocation of Individuals on Eligible Property (Sec. 13 (2)(i-l))

No displacement of businesses or residents is expected as part of this project. All parcels were vacant of businesses or residents prior to acquisition with the exception of one business, which relocated in July of 2018 and one residence whose lease expires prior to the anticipated approval timeline of the Plan. The existing residential lease ended and all properties were vacant by August 31, 2018, prior to approval of this Plan. An additional lease for surface parking exists on the property, however, the lease will end November 14, 2018. The property will continue to be rented on a month to month basis through April 1, 2019 as a courtesy. Therefore no displacement or relocation will occur on the Property. Compliance with all relocation requirements of Act 381 and the standards and provisions of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, Public Law 91-646 will be kept.

J. Local Brownfield Revolving Fund ("LBRF") (Sec. 13 (2)(m))

The LBRA has established a Local Brownfield Revolving Fund (LBRF). Capture for the LBRA is included in this plan on an annual basis with administrative fees totaling 10% of the annual available local TIR, and is currently estimated to total \$543,925 over 21 years. The funds deposited into the LBRF as part of this Plan will be used to support future development projects in Lansing in accordance with the requirements of Act 381, as amended.

K. Other Material that the Authority or Governing Body Considers Pertinent (Sec. 13 (2)(n))

The Lansing Brownfield Redevelopment Authority and the City Council as the Governing Body, in accordance with Act 381, may amend this Plan in order to fund additional eligible activities associated with the Project described herein. The Property is located within a Lansing Tax Increment Finance Authority (TIFA) district and therefore an interlocal agreement will be required to be approved and executed as part of this project. This project is a high priority for the City of Lansing, which will be transformational for the Michigan Avenue corridor and surrounding residents. Those living in and near the downtown will have access to affordable, healthy food within walking distance, while nearby properties will see an increase in property value. The development will increase both daytime and evening foot traffic, extending spending in nearby local businesses. Significant blight conditions will be eliminated and environmental

conditions will be reduced and mitigated to prevent exposures. Overall the project will attract new residents and business into the downtown and catalyze future growth and investment. Eligible Activities associated with the parcel referred to as 637 East Michigan Avenue shall be reimbursed via local only tax increment revenues only.

Appendix A

PLOT PLAN

For:
Gillespie Group
600 E. Michigan—Lansing, LLC
330 Marshall Street
Lansing, MI 48912

Survey Address:
600 Michigan Avenue
Lansing, MI 48912

Legal Description: A parcel of land in Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 2 of Plats, Page 36, Ingham County Records, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, and in Barnard's Subdivision on Lots 2, 3 and 4, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 32, Ingham County Records, the surveyed boundary of said parcel described as: Beginning at the Northwest corner of said Connard's Subdivision; thence S89°25'55"E along the North line of said Connard's Subdivision 425.18 feet (recorded as 425.04 feet) to the Northeast corner of said Connard's Subdivision; thence S00°06'32"W along the East line of said Connard's Subdivision, the East line of said Block 242, and the East line of said Barnard's Subdivision 521.16 feet to the Southeast corner of Block 1, said Barnard's Subdivision; thence N89°29'27"W along the South line of said Block 1 a distance of 429.20 feet (recorded as 429.00 feet) to the Southwest corner of said Block 1; thence N00°33'03"E along the West line of said Barnard's Subdivision 121.50 feet to the Northwest corner of Block 1 of said Barnard's Subdivision; thence S89°28'38"E along the North line of said Block 1 of Barnard's Subdivision 135.00 feet to the East line of the West 135 feet of Lot 2, said Block 242; thence N00°33'02"E along said East line 78.23 feet to the South line of the North 8 feet of said Lot 2, Block 242; thence S89°18'57"E along said South line 30.00 feet to the Southerly extension of the East line of Lot 23, said Connard's Subdivision; thence N00°33'03"E along said Southerly extension of the East line of said Lot 23 and the East line of Lots 23, 22, 21, and 20, said Connard's Subdivision 179.36 feet to the South line of the North 16.50 feet of said Lot 20; thence N89°26'46"W along said South line 165.00 feet to the West line of said Connard's Subdivision; thence N00°33'03"E along said West line 142.49 feet to the point of beginning; said parcel containing 4.19 acres more or less; said parcel subject to all easements and restrictions if any.



KESB, INC.

KYES ENGINEERING
BRYAN LAND SURVEYS

2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269-781-9800 FAX. 269-781-9805

DRAWN BY KDB

SECTION 16, T4N, R2W

FIELD WORK BY ---

JOB NUMBER:

SHEET 2 OF 2

92950.BND-PLT

PLOT PLAN

For:
Gillespie Group
600 E. Michigan—Lansing, LLC
330 Marshall Street
Lansing, MI 48912

Survey Address:
636 E. Michigan Avenue
Lansing, MI 48912

Proposed Legal Descriptions:

Parcel 636 E. Michigan Avenue: A parcel of land in Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 2 of Plats, Page 36, Ingham County Records, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, and in Barnard's Subdivision on Lots 2, 3 and 4, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 32, Ingham County Records, the surveyed boundary of said parcel described as: Beginning at the Northwest corner of said Connard's Subdivision; thence S89°25'55"E along the North line of said Connard's Subdivision 425.18 feet (recorded as 425.04 feet) to the Northeast corner of said Connard's Subdivision; thence S00°06'32"W along the East line of said Connard's Subdivision, the East line of said Block 242, and the East line of said Barnard's Subdivision 521.16 feet to the Southeast corner of Block 1, said Barnard's Subdivision; thence N89°29'27"W along the South line of said Block 1 a distance of 429.20 feet (recorded as 429.00 feet) to the Southwest corner of said Block 1; thence N00°33'03"E along the West line of said Barnard's Subdivision 121.50 feet to the Northwest corner of Block 1 of said Barnard's Subdivision; thence S89°28'38"E along the North line of said Block 1 of Barnard's Subdivision 135.00 feet to the East line of the West 135 feet of said Lot 2, Block 242; thence N00°33'03"E along said East line 78.23 feet to the South line of the North 8 feet of said Lot 2, Block 242; thence S89°18'57"E along said South line 30.00 feet to the Southerly extension of the East line of Lot 23, said Connard's Subdivision; thence N00°33'03"E along said Southerly extension of the East line of said Lot 23 and the East line of Lots 23, 22, 21, and 20, said Connard's Subdivision 155.45 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West line of said Connard's Subdivision; thence N00°33'03"E along said West line 155.83 feet to the point of beginning; said parcel containing 4.24 acres, more or less, said aprcel subject to all easements and restrictions, if any.

Parcel 119 S. Larch Street: Lots 20, 21 & 22, except the North 16.5 feet of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, also except a parcel of land being part of Lot 20, Connard's Subdivision on Lot 1, Block 242, Original Plat, City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 31, Ingham County Records, the boundary of said parcel described as: Commencing at the Northwest corner of said Connard's Subdivision; thence S00°33'03"W along the West line of said Connard's Subdivision 142.49 feet to a point 16.5 feet South of the Northwest corner of said Lot 20 and the point of beginning of this description; thence S89°26'46"E parallel with the North line of said Lot 20 a distance of 165.00 feet to the East line of said Lot 20; thence S00°33'03"W along said East line 23.91 feet; thence N54°22'13"W 13.08 feet; thence N89°27'25"W 4.35 feet; thence N00°29'31"E 3.08 feet; thence N89°27'25"W 149.95 feet to the West line of said Connard's Subdivision; thence N00°33'03"E along said West line 13.34 feet to the point of beginning; said parcel containing 0.44 acre, more or less; said parcel subject to all easements and restrictions, if any.

All bearings are derived from Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing C.O.R.S.

ERIK R. FRIESTROM

08/02/19

ERICK R. FRIESTROM
PROFESSIONAL SURVEYOR
DATE
NO. 53497



KEBS, INC. KYES ENGINEERING
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DRAWN BY KDB

SECTION 16, T4N, R2W

FIELD WORK BY ---

JOB NUMBER:

SHEET 4 OF 5

92950.PLT-2

ALTA/NSPS LAND TITLE SURVEY

"637 E. MICHIGAN AVENUE"

SURVEYOR'S NOTES:

1. This plan was made at the direction of the parties named hereon and is intended solely for their immediate use. Survey prepared from fieldwork performed in February 2016.
2. All bearings and distances on the survey are record and measured unless otherwise noted. Measured Bearings are based on Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing C.O.R.S.
3. All dimensions are in feet and decimals thereof.
4. No building tie dimensions are to be used for establishing the property lines.
5. There are no observable potential encroachments onto the subject property from adjoining lands, or from the subject property onto adjoining lands, except as shown hereon.
6. There is no observable evidence of cemeteries on this site.
7. There is no observable evidence of earth moving work, building construction, or building additions within recent months.
8. There is no observable evidence of site used as a solid waste dump, sump, or sanitary landfill.
9. Parcel has direct access to public E. Michigan Avenue and public Pere Marquette Drive.

ALTA/ACSM LAND TITLE SURVEY – TABLE "A" REQUIREMENTS:

Item 1: Shown on the survey map.

Item 2: Address of the surveyed property: 637 E. Michigan Avenue, Lansing, MI 48912

Item 3: By scaled map location and graphic plotting only, this property lies entirely within Flood Zone "X", areas outside the 0.2% annual chance floodplain, according to the National Flood Insurance Program, Flood Insurance Rate Map for the City of Lansing, Ingham County, Michigan, Community Panel No. 20090 0131 D, dated August 16, 2011.

Item 4: 1.51 Acres (65,832 square feet)

Item 7a: Shown on the survey map.

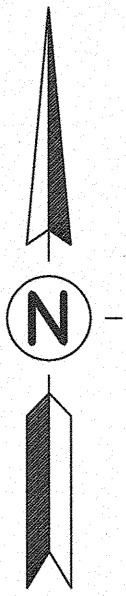
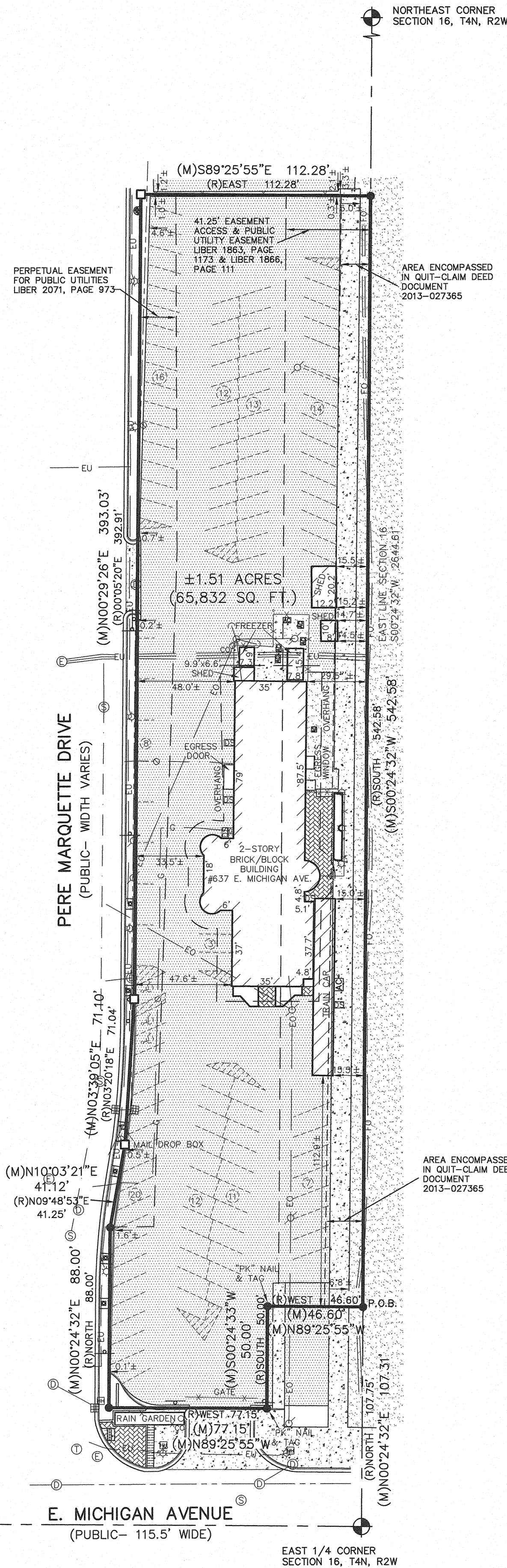
Item 8: Shown on the survey map.

Item 9: Parking:
Regular Parking Spaces: 113
Barrier Free Parking Spaces: 3
Total on-site Parking Spaces: 116

Item 11: Utility information as shown was obtained from available public records and from supporting field observations, where possible, and is subject to verification in the field by the appropriate authorities prior to use for construction. This parcel was marked by MISS DIG Ticket No. A60480054-00A. MISS DIG positive response shows markings were completed by City of Lansing for water, sanitary sewer and storm sewer, Level 3 Communications, Lansing Board of Water & Light, and Consumers Energy Gas Distribution. Utilities found on site that were located by MISS DIG were: gas, water, electric, and fiber optic lines.

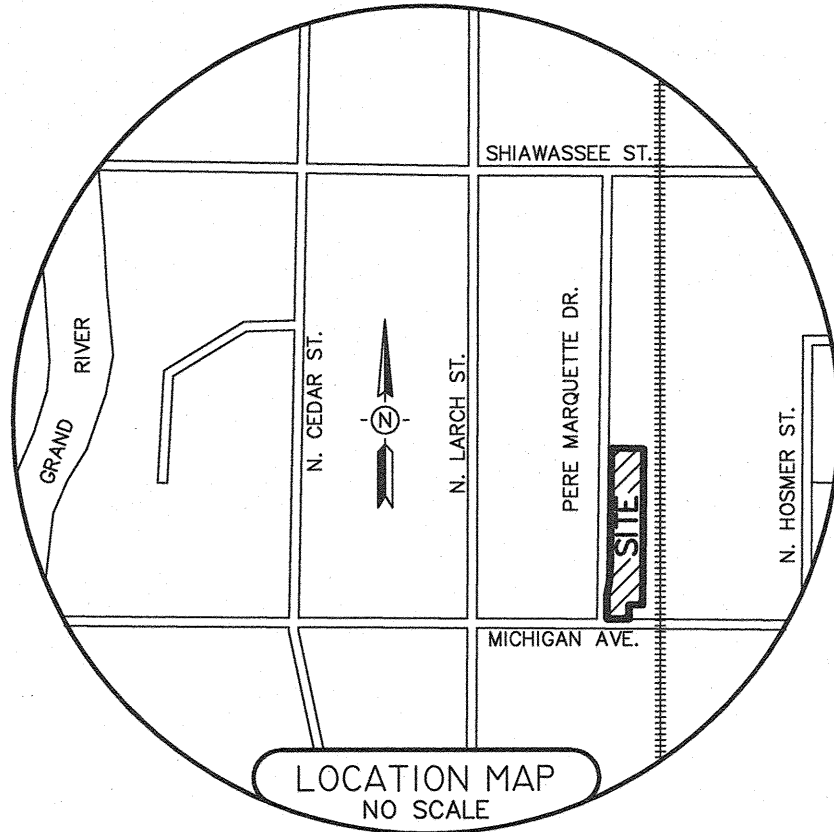
LEGEND

●	= SET 1/2" BAR WITH CAP	⊗	= SANITARY MANHOLE
□	= FOUND BAR & CAP #18998	①	= DRAINAGE MANHOLE
—	= DEED LINE	⊕	= ELECTRIC MANHOLE
—	= DISTANCE NOT TO SCALE	①	= TELEPHONE MANHOLE
—	= FENCE	⊗	= CATCHBASIN
—	= ASPHALT	⊗	= SANITARY CLEANOUT
—	= CONCRETE	⊗	= FIRE HYDRANT
—	= GRAVEL	⊗	= VALVE
—	= BRICK	⊗	= UTILITY POLE
—	= SANITARY SEWER	☆	= LIGHT POLE
—	= STORM SEWER	⊗	= GUY POLE
—	= WATER LINE	⊗	= GUY WIRE
—	= GAS LINE	⊗	= UTILITY PEDESTAL
—	= UNDERGROUND FIBER OPTIC	⊗	= TRANSFORMER
—	= UNDERGROUND TELEVISION	⊗	= ELECTRIC METER
—	= UNDERGROUND ELECTRIC	⊗	= GAS METER
—	= OVERHEAD WIRES	⊗	= WATER METER
■	= PARKING METER	⊗	= MONITORING WELL
■	= AIR CONDITIONING UNIT	⊗	= SIGN
■	= HAND HOLE	⊗	= POST



SCALE 1" = 40'

0' 40' 80' 120'



LEGAL DESCRIPTION:

(As provided by First American Title Insurance Company, Commitment No. 142176, dated February 4, 2015)
Part of Lot 39, Assessor's Plat No. 36 of Block 243, Original Plat, as recorded in Liber 11, Page 18, Ingham County Records and part of vacated East Street described as: Commencing 107.75 feet North of the East 1/4 corner of Section 16, Town 4 North, Range 2 West, thence West 46.6 feet, thence South 50 feet to the North line of Michigan Avenue, thence West to the East line of Pere Marquette Drive at a point 123.75 feet West of the East line of said Section 16, thence North 88 feet; thence North 09 degrees 48 minutes 53 seconds East 41.25 feet, thence North 03 degrees 20 minutes 18 seconds East 71.04 feet, thence North 00 degrees 05 minutes 20 seconds East 392.91 feet, thence East 112.28 feet to the East line of said Section 16, thence South 542.58 feet to the Point of Beginning.

SCHEDULE B, SECTION II, EXCEPTIONS:

(As provided by First American Title Insurance Company, Commitment No. 142176, dated February 4, 2015)

Item 15: Right of Way easement as recorded in Liber 4 of Miscellaneous Records, Page 395, does not cross the subject parcel and therefore is not shown hereon.

Item 16: Terms, covenants and conditions as recorded in Liber 1865, Page 432 do not cross the subject parcel and therefore are not shown hereon, Easement as recorded in Liber 1863, Page 1173 and Liber 1866, Page 111 crosses the subject parcel and is shown hereon.

Item 17: Parcel is subject to the general easement as recorded in Liber 2071, Page 973, said easement is plottable and is shown hereon.

Item 18: Parcel may be subject to the terms, provisions and easements as recorded in Liber 1267, Page 455, Liber 1780, Page 331 and Liber 2793, Page 412, the exact routes of said easements are not described and therefore are not plottable.

Item 19: Parcel is subject to the interest of the Pennsylvania Lines, LLC as recorded in Liber 2793, Page 412, and Liber 2700, Page 115, no easement is described and therefore is not shown hereon.

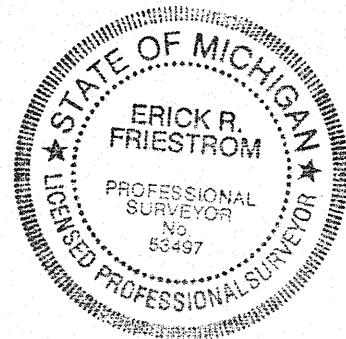
Item 20: Parcel is subject to the Reservation of Easement to the City of Lansing as recorded in Instrument No. 2013-005529, said easement is not described and therefore is not shown hereon.

Item 21: Parcel is subject to the Easement Deed to Sprint Communications as recorded in Instrument No. 2013-005529, the exact route of said easement is not described and therefore is not shown hereon.

CERTIFICATION:

To: 637 E. Michigan LLC; Gillespie Property Management, Inc.; Clara's Inc.; and First American Title Insurance Company.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 "Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys," jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7a, 8, 9 and 11 of Table A thereof. The field work was completed on February 23, 2016.



Erick R. Friestrom Date of Plat or Map:
Professional Surveyor No. 53497

REVISIONS	COMMENTS		ENGINEERING AND LAND SURVEYING
02/29/16	PRELIMINARY		2116 HASLETT ROAD, HASLETT, MI 48840 PH. 517-339-1014 FAX. 517-339-8047
06/13/16	SIGNED FINAL	Marshall Office Ph. 269-781-9800	
		DRAWN BY SLH	SECTION 16, T4N, R2W
		FIELD WORK BY RF	JOB NUMBER:
		SHEET 1 OF 1	90233.ALT

Appendix B





INGHAM COUNTY
MICHIGAN

Ingham County Parcels 2/20/2021 3:11:02 PM



Disclaimer: The data is provided for reference only and WITHOUT WARRANTY of any kind.

PLOT PLAN

PROPOSED CONFIGURATION

For:
Gillespie Group
600 E. Michigan—Lansing, LLC
330 Marshall Street
Lansing, MI 48912

Survey Address:
636 E. Michigan Avenue
Lansing, MI 48912

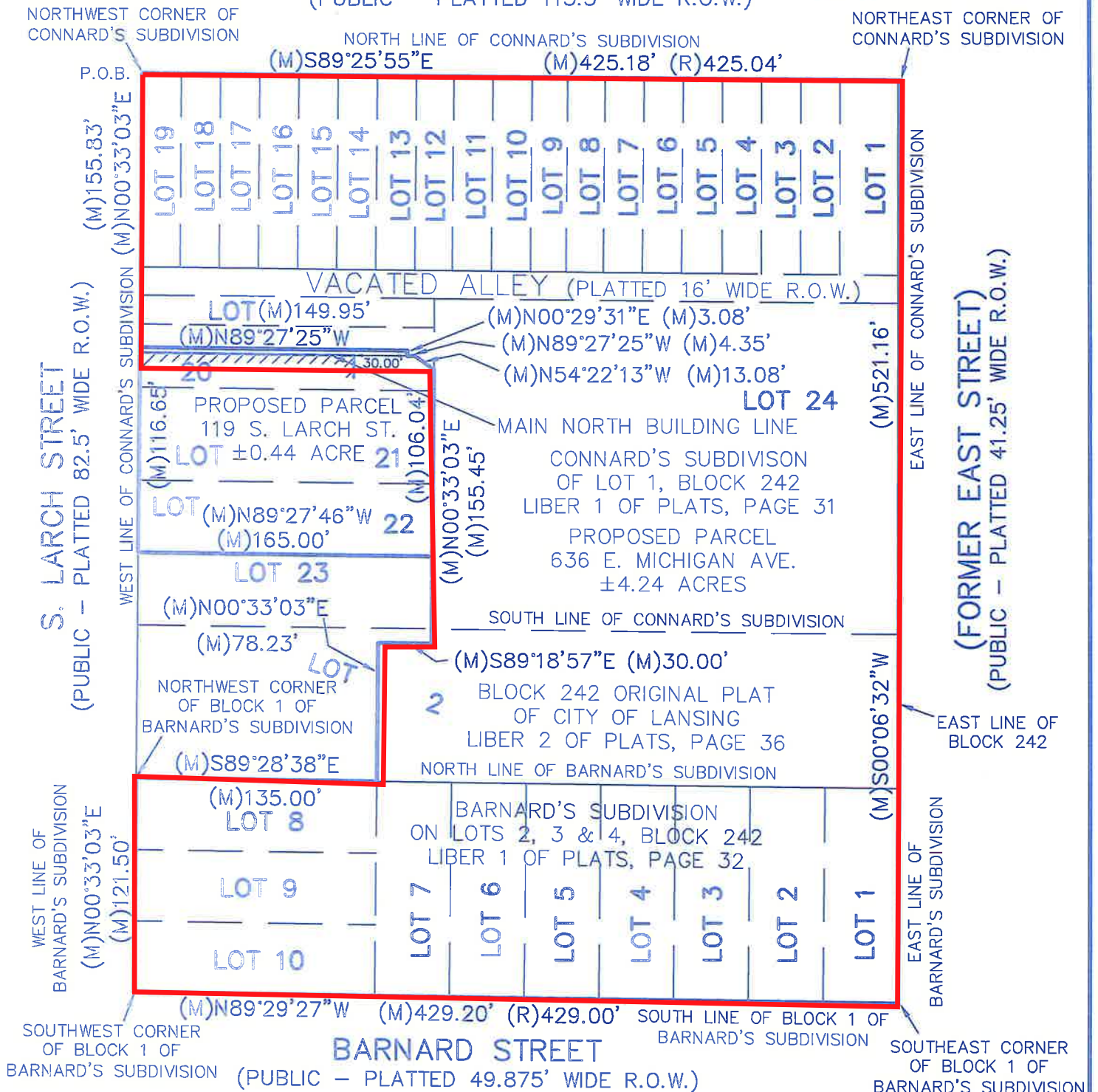
NOTES:

1. A LOT SURVEY IS REQUIRED FOR THE EXACT LOCATION OF FENCE AND PROPERTY LINES.
2. ALL EASEMENTS MAY NOT BE SHOWN.
3. ALL IMPROVEMENTS NOT SHOWN.



E. MICHIGAN AVENUE
(PUBLIC — PLATTED 115.5' WIDE R.O.W.)

1" = 80'



This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

- R = Recorded Distance
- = Deed Line
- - - = Distance Not to Scale
- [Pattern] = Deck, Porch, Sidewalk, & Patio Areas



KEBS, INC. KYES ENGINEERING
BRYAN LAND SURVEYS

2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269-781-9800 FAX. 269-781-9805

DRAWN BY KDB

SECTION 16, T4N, R2W

FIELD WORK BY ---

JOB NUMBER:

SHEET 2 OF 5

92950.PLT-2

ERICK R. FRIESTROM
PROFESSIONAL SURVEYOR

DATE
NO. 53497

ALTA/NSPS LAND TITLE SURVEY

"637 E. MICHIGAN AVENUE"

SURVEYOR'S NOTES:

1. This plan was made at the direction of the parties named hereon and is intended solely for their immediate use. Survey prepared from fieldwork performed in February 2016.
2. All bearings and distances on the survey are record and measured unless otherwise noted. Measured Bearings are based on Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing C.O.R.S.
3. All dimensions are in feet and decimals thereof.
4. No building tie dimensions are to be used for establishing the property lines.
5. There are no observable potential encroachments onto the subject property from adjoining lands, or from the subject property onto adjoining lands, except as shown hereon.
6. There is no observable evidence of cemeteries on this site.
7. There is no observable evidence of earth moving work, building construction, or building additions within recent months.
8. There is no observable evidence of site used as a solid waste dump, sump, or sanitary landfill.
9. Parcel has direct access to public E. Michigan Avenue and public Pere Marquette Drive.

ALTA/ACSM LAND TITLE SURVEY – TABLE "A" REQUIREMENTS:

Item 1: Shown on the survey map.

Item 2: Address of the surveyed property: 637 E. Michigan Avenue, Lansing, MI 48912

Item 3: By scaled map location and graphic plotting only, this property lies entirely within Flood Zone "X", areas outside the 0.2% annual chance floodplain, according to the National Flood Insurance Program, Flood Insurance Rate Map for the City of Lansing, Ingham County, Michigan, Community Panel No. 20090 0131 D, dated August 16, 2011.

Item 4: 1.51 Acres (65,832 square feet)

Item 7a: Shown on the survey map.

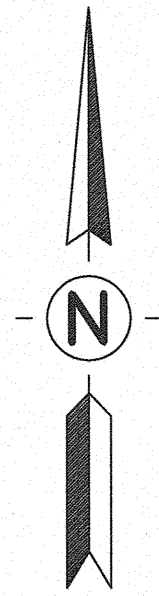
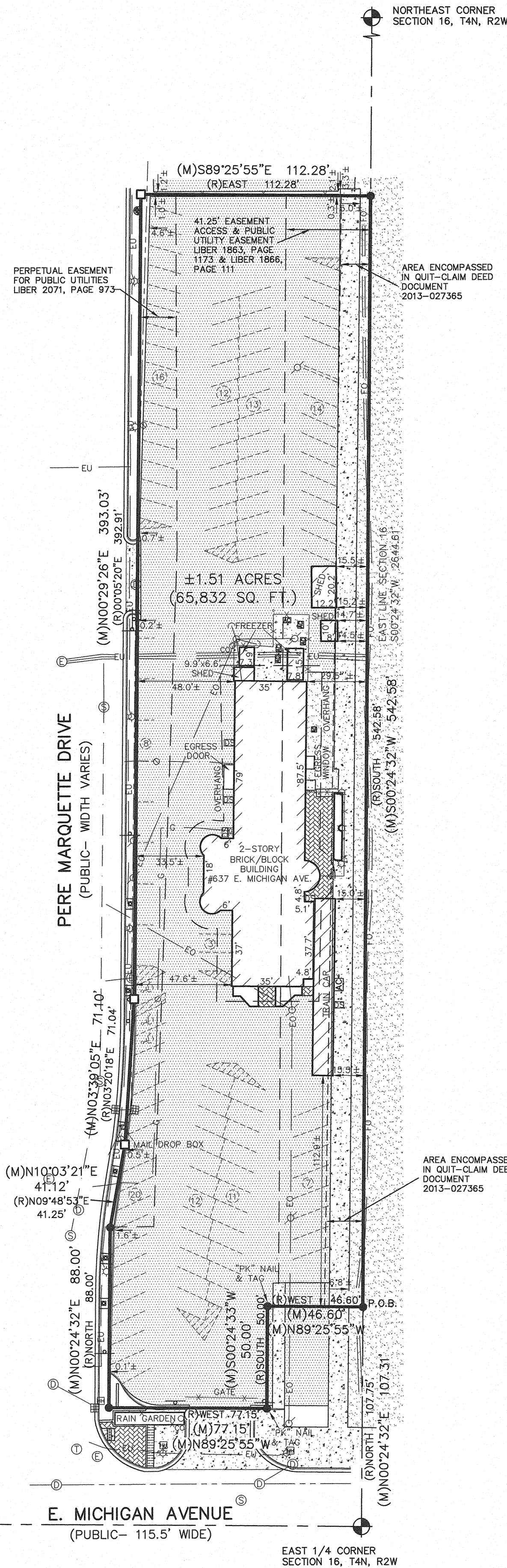
Item 8: Shown on the survey map.

Item 9: Parking:
Regular Parking Spaces: 113
Barrier Free Parking Spaces: 3
Total on-site Parking Spaces: 116

Item 11: Utility information as shown was obtained from available public records and from supporting field observations, where possible, and is subject to verification in the field by the appropriate authorities prior to use for construction. This parcel was marked by MISS DIG Ticket No. A60480054-00A. MISS DIG positive response shows markings were completed by City of Lansing for water, sanitary sewer and storm sewer, Level 3 Communications, Lansing Board of Water & Light, and Consumers Energy Gas Distribution. Utilities found on site that were located by MISS DIG were: gas, water, electric, and fiber optic lines.

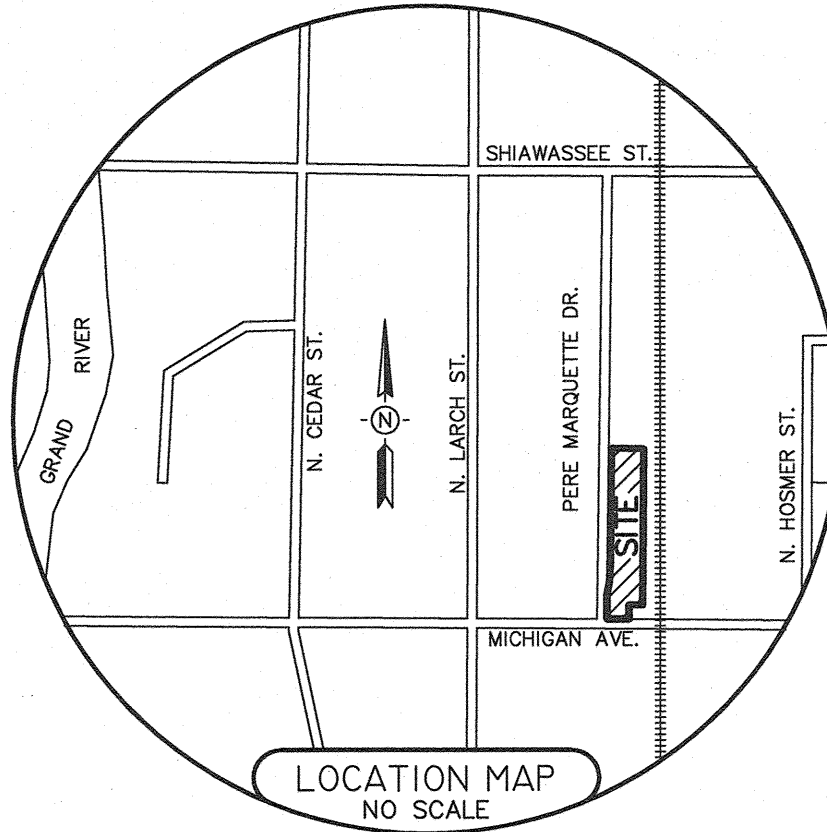
LEGEND

●	= SET 1/2" BAR WITH CAP	⊗	= SANITARY MANHOLE
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■	= PARKING METER	⊕	= MONITORING WELL
■	= AIR CONDITIONING UNIT	⊕	= SIGN
■	= HAND HOLE	⊕	= POST



SCALE 1" = 40'

0' 40' 80' 120'



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Erick R. Friestrom Date of Plat or Map:
Professional Surveyor No. 53497

REVISIONS	COMMENTS		ENGINEERING AND LAND SURVEYING
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06/13/16	SIGNED FINAL	Marshall Office Ph. 269-781-9800	
		DRAWN BY SLH	SECTION 16, T4N, R2W
		FIELD WORK BY RF	JOB NUMBER:
		SHEET 1 OF 1	90233.ALT

Appendix C





E. MICHIGAN AVE.



2 NEW OUTDOOR PATIO
AREAS AT FRONT ENTRY

PERE MARQUETTE DR

PARKLET

PROPERTY OWNED BY
RAILROAD - NEED APPROVAL
BEFORE IMPLEMENTATION.

EXISTING BUILDING

EXISTING TRAIN

2

1

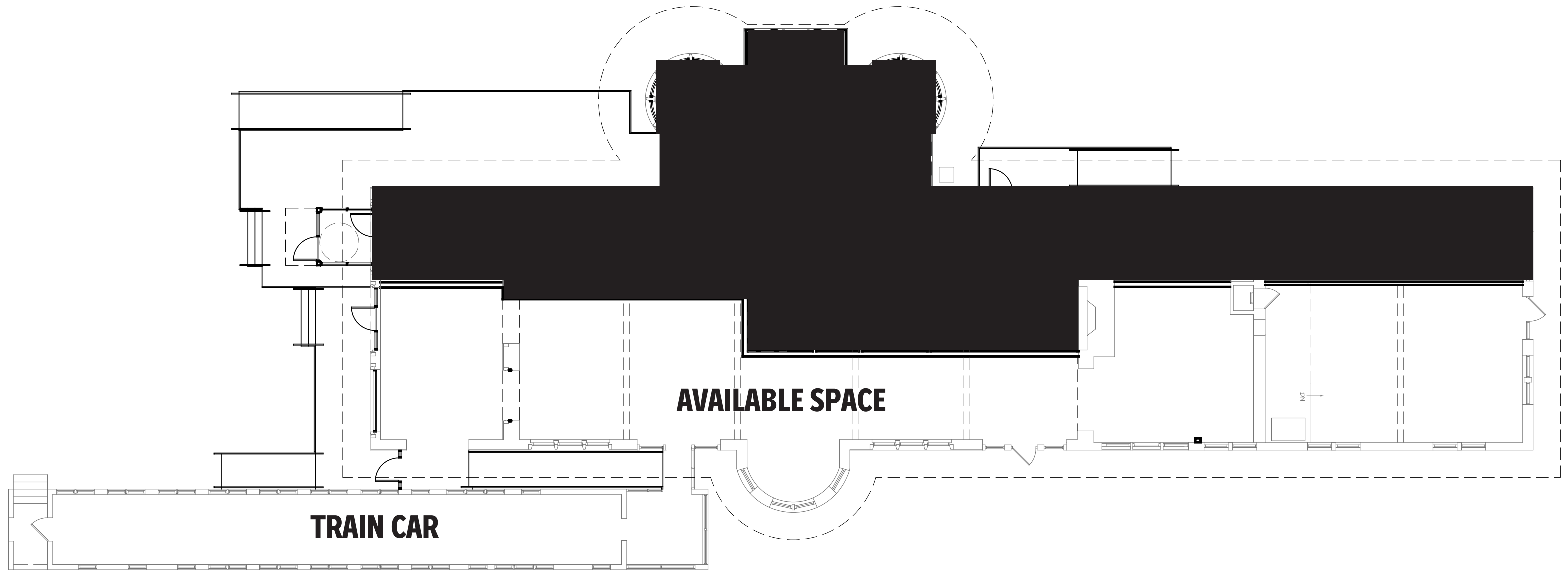
studio
[intrigue]
ARCHITECTS

637 E. MICHIGAN GREEN SPACE PLAN

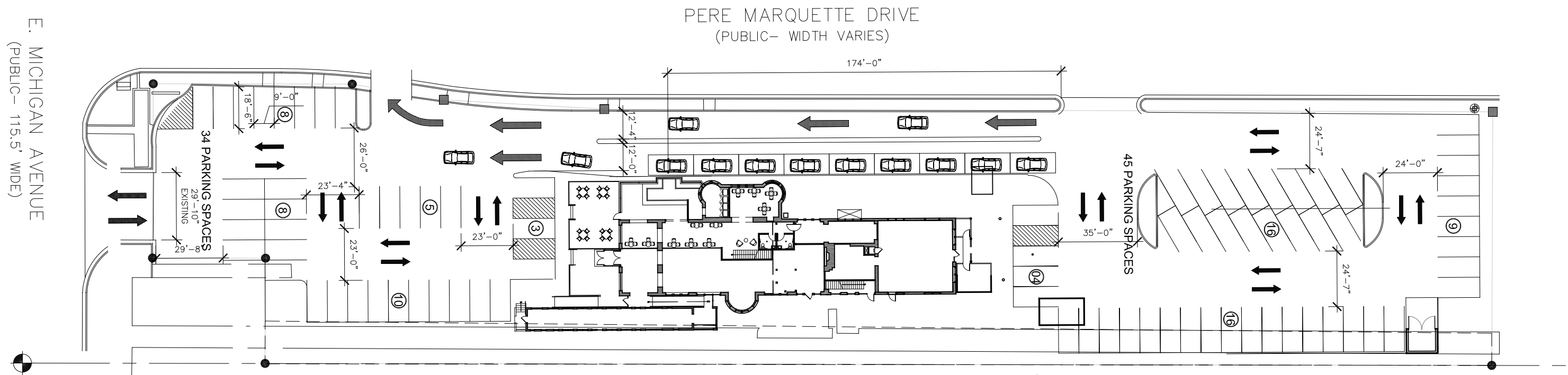
COPYRIGHT STUDIO [INTRIGUE] ARCHITECTS © 2021



GILLESPIE
GROUP



SITE PLAN





PARKLET Example





PARKLET Example



GILLESPIE
GROUP

Page 56 of 239













SPECIFICATIONS

SANITARY SEWERS

1. All sanitary sewer construction shall comply with the Construction Standards of City of Lansing and shall be subject to the inspection and approval of the City.
2. All sanitary sewermain piping shall be PVC SDR 26.
3. All pipe to be laid with the aid of laser equipment.
4. All sanitary sewer manholes shall be in accordance with Construction Standards of the City of Lansing with Neenah R-1763 or E.J.W. 1620 solid self sealing cover.
5. Trench width shall be maintained to a point at least 12" above the top of the pipe to ensure bedding conditions.
6. All sanitary leads shall be 6" PVC SDR 23.5 installed at minimum slope of 1%.
7. A sewer permit shall be obtained from the Public Service Department, 7th floor City Hall, by a drain layer licensed by the city
8. All sewer work shall be performed by a drain layer licensed by the City. Prior to working on sidewalk, curb and gutter, or drive approaches within the right of way the owner or contractor shall obtain a permit from the Public Service Department, 7th floor City Hall.
9. All sanitary sewer leads to be constructed with clean-outs.

STORM SEWER

1. All storm sewer construction shall comply with the requirements of the City of Lansing and shall be subject to their inspection and approval.
2. All storm sewer 10" and smaller shall be PVC SCH 40, PVC SDR 23, 5, or C-700 ES.
3. All storm sewer pipe 12" and larger shall be C-76, Class III reinforced concrete pipe.
4. All storm sewer joints shall be wrapped with Mirafix Geotextile 140N or equal. No joint mastic shall be used. Fabric shall be 18" wide, overlapped by not less than 6" and held in place by duct taping the overlap and/or equal holding material, until backfilled. "O" ring rubbers on PVC pipe shall be removed and wrapped as indicated above.
5. All pipe to be laid with the aid of laser equipment.
6. All storm sewer manholes and catch basins shall be in accordance with the City of Lansing and shall be subject with Neenah R-1784 or E.J.I.W. 1060-B covers for manholes. E.J.I.W. 7045 or Neenah R-3031-A for Standard curb inlets, E.J.I.W. 7065 or Neenah R-3034-B for rolled curb inlets, E.J.I.W. 6508 or Neenah R-4340-A for Beehive Grate or castings as indicated on the plans.
7. All catch basins and yard drains shall have a three foot deep sump.

WATER SYSTEM

1. All water system construction shall comply with the Construction Standards of the Lansing Board of Water and Light.

BENCHMARKS

- BENCHMARK #1 ELEV. = 848.06 (NAVD88)
CHISELED "X" IN SOUTHEAST FLANGE BOLT, UNDER "W" IN "EJ.W", FIRE HYDRANT, SOUTHEAST QUADRANT OF LARCH STREET AND MICHIGAN AVENUE.
- BENCHMARK #2 ELEV. = 844.33 (NAVD88)
CHISELED "X" IN EAST BOLT OF LIGHT POLE, 110' SOUTH OF SOUTH LINE OF #119 S. LARCH STREET AND 27' EAST OF EAST BACK OF CURB OF S. LARCH STREET.
- BENCHMARK #3 ELEV. = 848.13 (NAVD88)
CHISELED "X" IN SOUTHEAST FLANGE BOLT, UNDER "E" IN "EJ.W", FIRE HYDRANT, 27' EAST OF EAST BUILDING LINE OF #628 E. MICHIGAN AVENUE AND 3' SOUTH OF SOUTH CURB LINE OF E. MICHIGAN AVENUE.
- BENCHMARK #4 ELEV. = 850.66 (NAVD88)
NAIL IN WEST SIDE UTILITY POLE, ±85' SOUTH OF BUS SHELTER, ±350' SOUTH OF THE CENTERLINE OF MICHIGAN AVENUE, AND ±465' EAST OF CENTERLINE OF LARCH STREET.

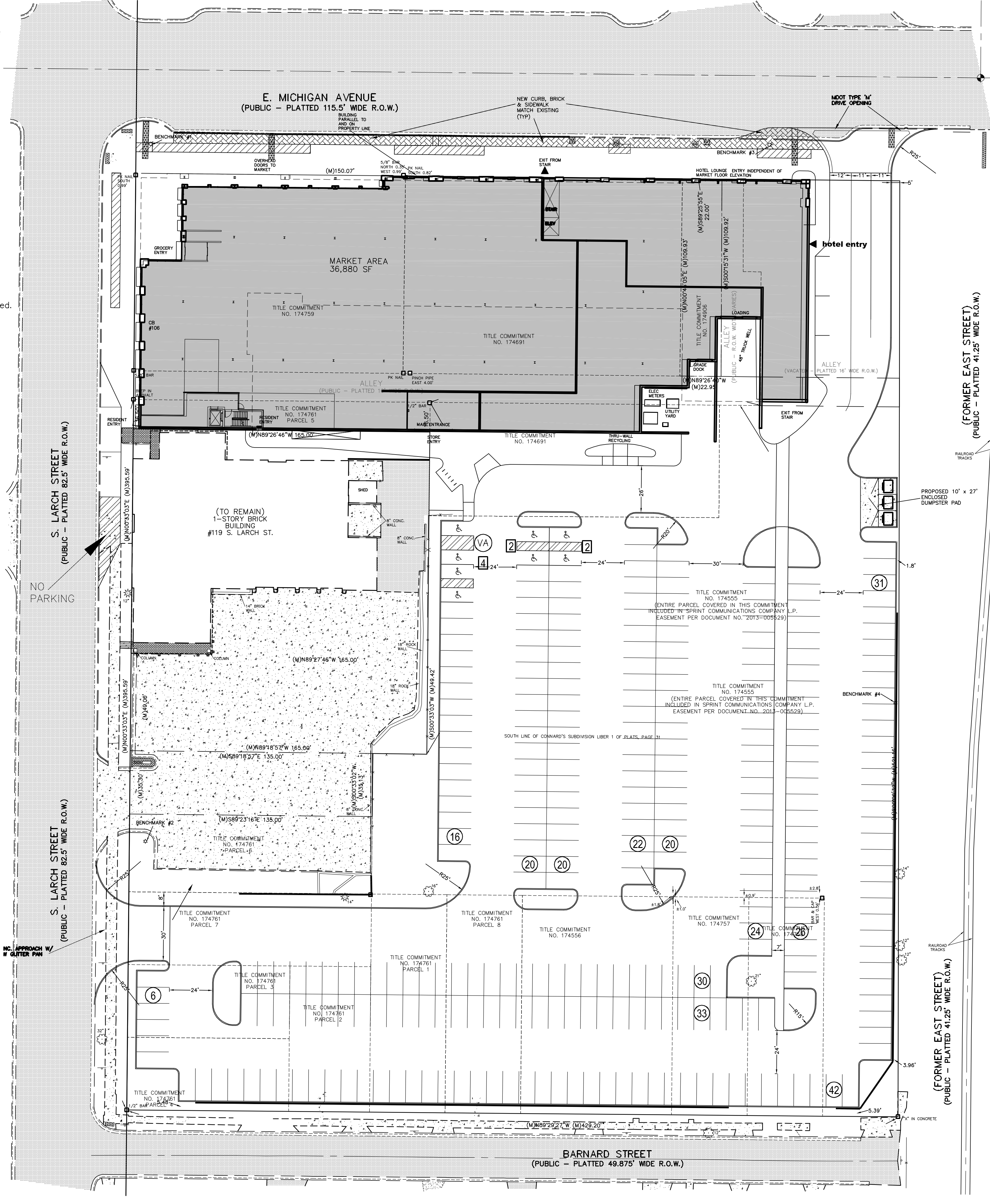


EX. LEGEND

- = SET 1/2" BAR WITH CAP
- = FOUND IRON AS NOTED
- = DEED LINE
- = DISTANCE NOT TO SCALE
- = FENCE
- = ASPHALT
- = CONCRETE
- = GRAVEL
- = STEEL PLATE
- = ADA PLATE
- = PORCH/DECK/STAIRS
- = BRICK
- = BUILDING OVERHANG
- ⊙ = ELECTRIC MANHOLE
- ⊙ = TELEPHONE MANHOLE
- ☀ = DECIDUOUS TREE
- ☀ = CONIFEROUS TREE
- ☐ = AIR CONDITIONING UNIT
- ☐ = PARKING METER
- = SIGN
- = POST/BOLLARD

LBWL NOTES

1. MAINTAIN A MINIMUM OF 10 FT HORIZONTAL AND 18 INCHES OF VERTICAL SEPARATION BETWEEN WATER AND SEWERS, AND A MINIMUM OF 5 FT HORIZONTAL AND 12 INCHES OF VERTICAL SEPARATION BETWEEN WATER AND OTHER UTILITIES.
2. ALL WATER MAIN AND SERVICES TO BE INSTALLED IN ACCORDANCE TO LBWL STANDARDS AND SPECIFICATIONS.
3. CONTRACTOR TO CONTACT THE LBWL AT LEAST 72 HOURS PRIOR TO SCHEDULED SHUT OFFS TO COORDINATE SHUT DOWN AND TURN ON ACTIVITIES.
4. LBWL IS NOT RESPONSIBLE FOR REPLACEMENT, REPAIR, OR MAINTENANCE OF SIDEWALKS THAT HAVE BEEN DAMAGED OR REMOVED DURING REPAIR, MAINTENANCE, REPLACEMENT OR INSPECTION OF WATERMANS AND RELATED FIXTURES.
5. ALL PUBLIC WATER OUTSIDE OF R.O.W. SHALL BE WITHIN A 20' PUBLIC EASEMENT.
6. ALL DUCTILE IRON WATER MAIN SHALL BE PRESSURE CLASS 350. ALL COPPER PIPE SHALL BE TYPE "K".
7. ALL WORK ON LBWL WATER DISTRIBUTION SYSTEM SHALL BE PERFORMED BY THE LBWL OR BY A LBWL APPROVED CONTRACTOR WITH A LBWL INSPECTOR ON-SITE.
8. A LBWL WATER SERVICE AGREEMENT SHALL BE PUT IN PLACE PRIOR TO CONSTRUCTION OF ANY WATER RELATED ITEMS.

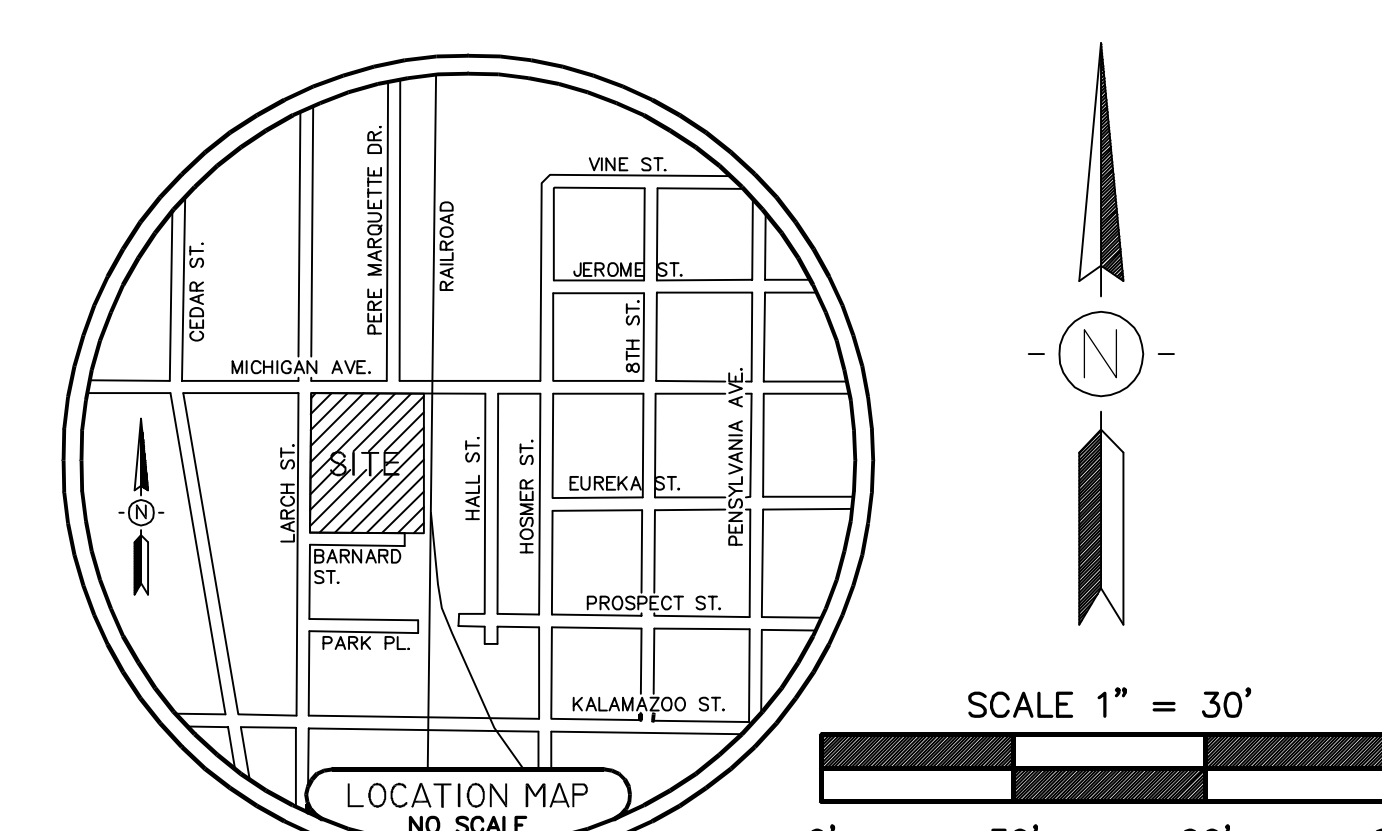


600 E. Michigan Project

CITY OF LANSING, INGHAM COUNTY, MICHIGAN

CLIENT:
GILLESPIE GROUP
330 MARSHALL ST.
LANSING, MI. 48912
PH: (517) 333-4123
FAX: (517) 333-6725

ENGINEER/SURVEYOR:
KEBS, Inc.
2116 HASLETT RD.
HASLETT, MI. 48840
PH: (517) 339-1014
FAX: (517) 339-8047



LEGAL DESCRIPTION:
(As provided by First American Title Insurance Company, Commitment No. 174555, dated October 27, 2017)
Lots 1, 2, 3, 24, and the East 10 feet of the North 51.55 feet of Lot 4, Connard's Subdivision of Lot 1, of Block 242, of the Original Plat of the City of Lansing, according to the recorded plat thereof; ALSO beginning at the Southeast corner of said Lot 1; thence South 16 feet; thence West 77 feet; thence North 16 feet; thence East 77 feet to the point of beginning; ALSO Lot 1 of Block 1 of Barnard's Subdivision, recorded in Liber 1 of Plats, Page 32, Ingham County Records; ALSO the North 1/2 of Lot 2, Block 242, except the West 135 feet thereof and except the East 30 feet of the West 165 feet of the North 8 feet thereof; Original Plat of the City of Lansing. The said property may also be described as: Beginning at the Northeast corner of Lot 1 of Connard's Subdivision of Lot 1 of Block 242 of the Original Plat of the City of Lansing, according to the recorded plat thereof; thence South along the Eastern boundaries of Lot 1, Lot 1 extended, and Lot 24 of Connard's Subdivision, the North 1/2 of Lot 2, Block 242 and Lot 1 of Block 1 of Barnard's Subdivision, a measured distance of 521.30 feet to an "X" cut on concrete marking the Southwest corner of Lot 1 and 24 aforesaid; thence West 42 feet to a point being the Southwest corner of said Lot 1, Block 1 of Barnard's Subdivision; thence North 78.62 feet; a point 135 feet East of the East Boundary of Larch Street; thence East 30 feet to a point being 8 feet South of the North line of Lot 2, Block 242; thence North a measured distance of 195.9 feet along the West boundary line of Lot 24 of Connard's subdivision of Block 242 to a point being the Northwest corner of said Lot 24; thence East 183.04 feet along the Northern boundary line of said Lot 24 to a point 16 feet South of the Southwest corner of Lot 3 of Connard's Subdivision; thence Northerly 16 feet to a point being the Southwest corner of Lot 3 of Connard's Subdivision; thence continuing North along the West boundary line of said Lot 3, 59.5 feet to an "X" cut therein; thence West 10 feet to an "X" cut; thence North a measured distance of 51.55 feet to a point in the North Boundary Line of Lot 4 and the South boundary line of Michigan Avenue; thence East along the South boundary of Michigan Avenue and the North boundary lines of Lots 4, 3, 2, and 1 of Connard's Subdivision to the place of beginning.
EXCEPT:
Part of Lot 24, Connard's Subdivision of Lot 1, of Block 242, of the Original Plat of the City of Lansing, according to the recorded plat thereof, as recorded in Liber 1 of Plats, Page 32, Ingham County Records, being further described as commencing at the Northwest corner of Lot 24, of said Plat; thence South 90°00'00" East, 161.04 feet, along the Northerly line of Lot 24; thence South 00°24'20" East, 82.63 feet; thence South 89°49'20" West, 161.32 feet to the Westerly line of Lot 24; thence North 00°02'00" East, 63.12 feet, along said Westerly line to the point of beginning.

GENERAL

1. Any unstable soil (such as peat, muck, marl, soft blue clay, topsoil, etc.) which is encountered beneath proposed utilities, parking lots and structures, and buildings shall be removed down to sound subsoil and backfilled with sand and gravel as needed to reach finished grade. Such fill shall be compacted in 6" layers to 95% of max. density. The decision on material for bedding and backfill shall be made by the Engineer.
2. Information on depth, size, etc., of all other underground utilities shown herein is plan information only, obtained from the utility company involved. Prior to any final designing or construction. It is recommended that all utility companies, agencies, departments, etc., involved be contacted for verification of such locations.
3. The locations, size and elevation of sewers and related structures shown herein, were obtained through a survey completed by KEBS, Inc. KEBS, Inc. is not responsible for information on any other sewers, drains or related structures not found and not shown hereon, that may cross, parallel, lie contiguous to or service this site.
4. For protection of underground utilities, the contractor shall dial 800-482-7171 a minimum of 72 hours prior to excavating in the vicinity of utility lines. All "MISS DIG" participating members will thus be routinely notified. This does not relieve the contractor of the responsibility of notifying utility owners who may not be a part of the "MISS DIG" alert system.
5. All existing roads, driveways and yards disturbed during construction shall be restored by the contractor to its original condition.
6. All sewer pipe shall be bedded with CL III granular material. Class material shall be used in backfilling all sewer trenches to 1' above the sewer pipe.
7. All compaction of trenches within the roadways shall be to 95% density. Equipment such as small rollers in the trenches and a hoe-pack around the structures will be required, or equipment capable of reaching 95% density.
8. Contractor shall be responsible for obtaining all permits required for construction.
9. Contractor shall be responsible for maintaining As-Built drawings of all lot lead locations and drawings shall be available to the Engineer upon request.

STREETS

1. PER CITY OF LANSING SPECIFICATIONS.

1 DENOTES NUMBER OF B/F SPACES		
VA DENOTES VAN ACCESS B/F SPACES		
0 DENOTES PROPOSED NUMBER OF 9' x 18' PARKING SPACES		
SITE ADDRESS: 600 E. MICHIGAN AVE, LANSING, MI. 48912		
SURVEY#92950.BND		
REVISIONS		
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600 E. Michigan Project		
COVER SHEET		
SCALE: 1"= 30'	DESIGNER: JWK	APPROVED BY: JWK
DATE: 4-2-18	PROJECT MGR: JWK	SHEET 1 OF 5
AUTHORIZED BY: GILLESPIE GROUP	JOB # 92950	

Appendix D





Corporate Headquarters
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Michigan Locations
Berkley Bay City
Grand Rapids Detroit
Chesterfield Lansing

February 28, 2018

District Supervisor
Michigan Department of Environmental Quality
Lansing Michigan District Office
525 West Allegan Street
Lansing, Michigan 48933

**RE: Baseline Environmental Assessment of the 600 Block Urban Redevelopment Property Located at 600-636 E. Michigan Avenue, 117 S. Larch Street, 145-147 S. Larch Street, and 601-637 Barnard Street, Lansing, Michigan
PM Environmental, Inc. Project No. 01-9216-0-0002**

Dear District Supervisor:

Enclosed is a copy of the Baseline Environmental Assessment prepared for the above referenced subject property in accordance with Section 20126(1)(c) of Part 201, Environmental Remediation, and Section 21323a(1)(b)(i) of Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act (NREPA), P.A. 451 of 1994, as amended.

If you have any questions regarding this report, please contact us at 800.313.2966.

Sincerely,
PM ENVIRONMENTAL, INC.

J. Adam Patton, CHMM
Manager of Site Investigation Services

Enclosure



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Michigan Locations
Berkley Bay City
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February 28, 2018

Mr. Patrick Gillespie
600 E. Michigan-Lansing, LLC
330 Marshal Street, Suite 100
Lansing, Michigan 48912

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THIS BASELINE ENVIRONMENTAL ASSESSMENT WAS PREPARED FOR THE EXCLUSIVE USE OF 600 E. MICHIGAN-LANSING, LLC, THEIR ASSOCIATES AND LENDERS, EACH OF WHOM MAY RELY ON THE REPORT'S CONTENTS.

If you have any questions regarding this report, please contact us at 800.313.2966.

Sincerely,
PM ENVIRONMENTAL, INC.

J. Adam Patton, CHMM
Manager of Site Investigation Services

Enclosure

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1.0 INTRODUCTION AND DISCUSSION

PM completed this Baseline Environmental Assessment (BEA) of the 600 Block Urban Redevelopment Property located in Lansing, Ingham County, Michigan (hereafter referred to as the “subject property”) in accordance with Parts 201 and 213 of the Natural Resources and Environmental Protection Act (NREPA), P.A. 451 of 1994 (Parts 201 and 213), as amended.

The subject property consist of 18 parcels and an alleyway totaling approximately 4.0 acres and is located on the east side of South Larch Street and on the south side of East Michigan Avenue in Lansing, Michigan. The table below includes a listing of each parcel comprising the subject property:

Address	Parcel ID Number	Current Use
600 East Michigan Avenue	33-01-01-16-428-081	Vacant (Former Ballpark Mobil)
612-614 East Michigan Avenue	33-01-01-16-428-061	Brogan's Tire and Auto Service
622 East Michigan Avenue	33-01-01-16-428-051	Commercial
624 East Michigan Avenue	33-01-01-16-428-041	Commercial
626 East Michigan Avenue	33-01-01-16-428-031	Commercial/Office
628 East Michigan Avenue	33-01-01-16-428-021	Commercial/Office
117 South Larch Street	33-01-01-16-428-100	Storage/Warehouse
636 East Michigan Avenue	33-01-01-16-428-002	Parking
No Current Address	33-01-01-16-428-141	Vacant (formerly 139 South Larch Street)
145 South Larch Street	33-01-01-16-428-151	Residential
147 South Larch Street	33-01-01-16-428-161	Residential
611 Barnard Street	33-01-01-16-428-171	Residential
No Current Address	33-01-01-16-428-181	Vacant (formerly 613 Barnard Street)
619 Barnard Street	33-01-01-16-428-191	Residential
No Current Address	33-01-01-16-428-201	Vacant (formerly 621 Barnard Street)
625 Barnard Street	33-01-01-16-428-211	Residential
629 Barnard Street	33-01-01-16-428-221	Residential
633 Barnard Street	33-01-01-16-428-231	Residential
No Current Address	33-01-01-16-428-901	Vacant Alleyway

The property is developed with a 3,616 square foot automotive service garage building (612-614 East Michigan Avenue; Brogan's Tire and Auto Service) constructed in 1930, four retail buildings (622-628 East Michigan Avenue) containing 8,654 square feet constructed in 1900, a warehouse building (117 South Larch Street) containing 5,520 square feet constructed in 1946, six residential dwellings (145-147 South Larch Street and 611-629 Barnard Street) totaling 9,720 square feet constructed between 1884 and 1916, and a garage building (633 Barnard Street) containing 960 square feet constructed in 1983.

The service garage building is divided into a lobby area, service areas, and storage areas. The retail buildings are divided into various retail and storage areas. The easternmost retail building (628 East Michigan Avenue) contains two second floor apartments which are divided into bedroom areas, a kitchen, living area, and bathrooms. The warehouse building contains various

storage areas. The residential dwellings are generally divided into bedrooms, living areas, kitchens, bathrooms, and basements.

An asphalt paved parking lot is present in the eastern portion of the property. Various paved areas are present throughout the remainder of the property. In the area of the residential dwellings, groomed grass, driveways, and landscaped areas are present.

Standard and other historical sources documented that the northeastern portion of the property (identified as 636 East Michigan Avenue) was occupied lumber storage for Hall Lumber Company from at least 1892 to 1898. By 1906, two office buildings were present. An additional office building was constructed by 1913. These former office buildings were demolished by 1950, when a larger office building, occupied by Lewis Fuel Oil Company was constructed. The Lewis Fuel Oil office building was demolished between 1994 and 1997, and this portion of the property has been occupied by a surface parking lot since that time. Historic occupants of the former buildings consisted of various professional office operations.

The north-central portion of the property is currently occupied by four storefront buildings (identified as 622-628 East Michigan Avenue). The two eastern buildings were constructed prior to 1892. Additions were constructed to the rear of the eastern buildings between 1906 and 1913. The two western storefront buildings were constructed between 1906 and 1913. A majority of the historic occupants have included various retail, medical, and professional office tenants, with the exception of 622 and 624 East Michigan Avenue.

The storefront buildings, identified as 622 East Michigan Avenue and 624 East Michigan Avenue, were occupied by a radiator shop from at least 1935 to 1959 and a glassworks shop from at least 1945 to 1964, respectively.

The north-central portion of the property is occupied by an automotive service building (identified as 612-614 East Michigan Avenue), which was constructed by 1930 as a gasoline service station. Prior to 1930, this portion of the property was occupied by a lumber shed for a lumber company located further west. Gasoline dispensing operations ceased in approximately the mid-1950s and the property has been occupied by an automotive service business since the early 1960s.

The northwestern parcel of the property (formerly identified as 600 East Michigan Avenue) is currently a vacant lot with four underground storage tanks (USTs) that are not currently in use. In at least 1892, a lumber shed was present in the eastern portion of this parcel. The lumber shed was demolished and a small office building was constructed in the eastern portion, along East Michigan Avenue between 1892 and 1898 and was demolished by 1906. By 1906, several buildings associated with the Hall Lumber Company were constructed with lumber storage throughout the parcel. All of the former lumber buildings were demolished between 1938 and 1950. An auto sales and service building was constructed in the south-central portion by 1950 and was demolished by the early 1970. A former convenience store building associated with a retail gasoline station was constructed in the early 1970s, with a car wash building constructed in 1995. All of the former buildings were demolished in 2012 and the property has been vacant since that time. The property was occupied by lumber company with storage and/or milling operations from at least 1892 until 1921; automotive sales and service operations from the early 1920s until the 1950s; various commercial and retail businesses from at least the 1930s until the early 1950s; used auto sales from the 1950s until the 1960s, gasoline dispensing operations from least 1940 to 1943, and from the 1970s until 2006; and has been vacant of occupants since that time.

The central portion of the property (identified as 636 East Michigan Avenue) was occupied by Hall Lumber Company from at least 1892 to 1988 with lumber and coal storage and planning, sash and door manufacturing. By 1906, this portion was occupied by Michigan Implement & Transfer Company. Four buildings were constructed by 1906 which were occupied by agricultural implements and engines and/or threshers. In at least 1913, this portion of the subject property was occupied by Butler-Langevin Lumber Company and the previously identified buildings were identified as agricultural implements and lumber storage. The current building located at 117 South Larch Street was constructed in 1946 and was utilized as storage in at least 1951 and boat storage and repair in at least 1966. All of the former buildings (with the exception of the current building) were demolished by 1950 and the property was occupied by Lewis Fuel Oil Company from at least 1940 until the early 1990s with operations consisting of bulk petroleum and coal distribution. A garage building, with truck service operations was constructed by 1951 and demolished between 1997 and 1998 (identified as former auto service building on Figures). Six coal silos were present on the northeastern portion from 1950 until 1973 and various petroleum ASTs were present on the southern portion from 1950 to 1994. Coal pile storage was present on this portion of the property from at least 1906 until 1955. All of the former buildings were demolished (except the current building) were demolished between 1994 and 1997, and the property has been vacant land and/or a surface parking lot since that time.

The southern portion of the property (identified as 145-147 South Larch Street and 601-637 Barnard Street) is currently and has historically been occupied by various residential dwellings. Several dwellings were demolished between 1951 and the 1990s. A personal garage is present on the eastern portion, which was constructed in 1984.

Current operations at the subject property consist of typical automotive service operations, retail activities, professional office activities, storage activities, and residential activities.

1.1 Owner/Operator Information

600 E. Michigan-Lansing, LLC, 330 Marshall Street, Lansing, Michigan 48912 intends to purchase the subject property, which will be redeveloped for mixed commercial, retail, and residential uses.

1.2 Intended Use of the Subject Property

600 E. Michigan-Lansing, LLC, intends to redevelop the subject property for mixed commercial, retail, and residential uses. As part of the redevelopment, all parcels and the associated alleyway currently comprising the subject property will be consolidated into a single parcel, the identification number of which has not yet been assigned.

1.3 Summary of All Appropriate Inquiry Phase I Environmental Assessment

PM prepared a Phase I ESA dated February 2, 2018, in conformance with the scope and limitations of ASTM Practice E1527-13 (i.e., the 'ASTM Standard'). A copy of PM's February 2018 Phase I ESA, including photographs of the subject property, is included in Appendix A.

- The subject property parcel, identified as 600 East Michigan Avenue, is a closed Leaking Underground Storage Tank (LUST) site and a BEA site. Previous site assessment activities completed for 600 East Michigan Avenue in 2013 document that soil and groundwater contamination exists on-site above the current MDEQ Part 213 Risk Based Screening

Levels (RBSLs). Based on these analytical results and its closed LUST status, the subject property meets the definition of a “property,” in accordance with Part 213 of P.A. 451 of the Michigan Natural Resources Environmental Protection Act (NREPA), as amended.

- The subject property parcel, identified as 636 East Michigan Avenue, is an open LUST site and a BEA site. Previous site assessment activities completed in 1994, 1995, and 2015 document that soil contamination exists on-site above the current MDEQ Part 201 Generic Residential Cleanup Criteria (CRCC) and Part 213 RBSLs. Based on these analytical results and its open LUST status, the subject property meets the definition of a “facility” and a “site,” in accordance with Part 213 of P.A. 451 of the Michigan NREPA, as amended.
- The north-central portion of the property, identified as 612-614 East Michigan Avenue, is currently occupied by an automotive service building, which was constructed by 1930 as a gasoline service station. Gasoline dispensing operations ceased in approximately the mid-1950s and the property has been occupied by an automotive service business since the early 1960s. Current and historical interior waste streams associated with the service garage operations consist of general hazardous substances and/or petroleum products. A significant portion of this time period preceded major environmental regulations and current waste management and disposal procedures. The historical waste management practices associated with the service operations are unknown and may be a source of subsurface contamination.
- The southern portion of the property is currently and has historically been occupied by various residential dwellings. Several dwellings were demolished between 1951 and the 1990s. Several of the former residential dwellings were demolished prior to current disposal regulations. It is unknown how the building demolition debris was disposed of. It was not uncommon for building demolition debris to historically have been used as fill material onsite. The potential exists for construction debris and fill material to be present on these subject property parcels that were historically developed with basements, and to have negatively impacted the subsurface.
- Four current USTs are present at the subject property parcel identified as 600 East Michigan Avenue. The current UST system has been unused since 2012 without any subsurface investigation since 2013. Based on this information, the potential exists for a release to have occurred and impacted the subsurface.
- During the site reconnaissance, PM observed evidence of five in-ground hydraulic hoists within the warehouse building located at 117 South Larch Street and evidence of a former in-ground hoist within the building located at 612-614 East Michigan Avenue. The hydraulic reservoirs associated with the in-ground hoists were located underground. In-ground hoists have an underground reservoir for hydraulic fluids, which can contain polychlorinated biphenyls (PCBs). The potential exists that a release occurred from the current hydraulic hoist system and/or underground reservoir. Additionally, the potential exists for orphaned reservoirs to be present on the subject property.
- During the site reconnaissance, PM observed two vent pipes on the western exterior wall of the automotive service building (612-614 East Michigan Avenue). These vent pipes may be associated with the USTs identified in the 1951-1972 Sanborn maps. No known subsurface investigations have been completed in this area of the subject property and no

USTs are registered to this parcel. Based on this information, the potential exists for orphan USTs to be present and/or for a release to have occurred.

- Review of Fire Department records documented fuel oil as a heat source at various times for 612-614 East Michigan Avenue, 622 East Michigan Avenue, 626 East Michigan Avenue, and 636 East Michigan Avenue. Fuel oil was documented to be stored within 55-gallon drums at 622 East Michigan Avenue and within USTs at 636 East Michigan Avenue (bulk fuel oil storage and consumptive purposes on the parcel). PM was unable to verify if fuel oil was stored within above ground storage tanks (ASTs) or USTs at the remaining addresses. Based on this information, the potential exists for orphan USTs to be present and/or for a release to have occurred with the former use fuel oil.
- The storefront building, identified as 622 East Michigan Avenue, was occupied by a radiator shop from at least 1935 to 1959. Historical interior waste streams associated with the operations would have consisted of general hazardous substances and/or petroleum products. This time period preceded major environmental regulations and current waste management and disposal procedures. The historical waste management practices associated with the former service operations are unknown and may be a source of subsurface contamination.

The following adjoining and/or nearby RECs were identified:

- The west adjoining property, identified as 119 South Larch Street, is occupied by Liskey's Auto Truck Service. Review of historical the property was occupied by a pattern works and/or manufacturing company from at least 1906 until 1921, and sheet metal and machining company from 1924 until the 1950s, an automotive equipment company from 1936 until the 1950s, and has been occupied by automotive service operations since 1965. Based on the long-term operations on this property and the close proximity to the subject property (directly adjoining), the potential exists for a release to have occurred and migrated onto the subject property.
- A north adjoining property, identified as 605 East Michigan Avenue, was occupied by a dry cleaning operation from 1916 until 1959. Dry cleaning operations commonly involve the usage of general hazardous substances and/or petroleum products, which, if improperly managed and/or disposed of, can be a source of contamination. Based on the close proximity to the subject property (approximately 90 feet east) and long-term operations, the potential exists that a release has occurred on this property and migrated onto the subject property.

1.3.1 Phase I ESA Exceptions or Deletions

There were no identified exceptions or deletions from the Federal All Appropriate Inquiry Rule under 40 CFR 312, or the ASTM Standard within PM's February 2018 Phase I ESA.

1.3.2 Phase I ESA Data Gaps

No significant data gaps were identified within PM's February 2018 Phase I ESA.

1.4 Summary of Previous Site Investigations

Multiple site investigations were completed for the subject property between 1990 and 2015. Reports associated with those investigations are summarized in the table below:

Name of Report	Date of Report	Company that Prepared Report
Report of Site Assessment (600 East Michigan Avenue)	March 15, 1990	Environmental Science and Engineering, Inc. (ESE)
Phase II ESA (600 East Michigan Avenue)	February 21, 1991	ESE
Initial Abatement Measures Report (600 East Michigan Avenue)	August 20, 1991	ESE
UST Removal/Site Remediation Report (600 East Michigan Avenue)	November 7, 1991	ESE
60-Day LUST Initial Assessment Report (636 East Michigan Avenue)	3-10-1995	BLDI
Phase I Hydrogeologic Study and Preliminary RBCA Tier 1 Evaluation (636 East Michigan Avenue)	6-30-1995	BLDI
BEA (636 East Michigan Avenue)	7-10-1995	STS Consultants, Ltd.
LUST Closure Report (600 East Michigan Avenue)	January 11, 1996	Enecotech
Soil Characterization Report (636 East Michigan Avenue)	7-12-1996	MacKenzie Environmental Services
Risk-Based Corrective Action (RBCA) Assessment (636 East Michigan Avenue)	4-11-1997	BLDI
Summary of Soil Remediation Activities (636 East Michigan Avenue)	2-5-1999	Snell Environmental Group (SEG)
LUST Closure Report (600 East Michigan Avenue)	February 11, 2000	Timmermans
Phase I ESA (600 East Michigan Avenue)	July 18, 2011	Soil and Materials Engineers, Inc. (SME)
Phase I ESA (600 East Michigan Avenue)	7-31-2013	PM
BEA (600 East Michigan Avenue)	10-4-2013	PM
Documentation of Due Care Compliance (DDCC) (600 East Michigan Avenue)	10-4-2013	PM
Phase II ESA	11-11-2015	WSP Parsons Brinckerhoff (WSP)
BEA (636 East Michigan Avenue)	11-19-2015	WSP

PM reviewed available previous site investigations for 600 and 636 East Michigan Avenue, which are summarized below. Relevant portions of the previous reports, including sample location maps

and analytical summary tables, are also included in Section 10.4 of the February 2018 Phase I ESA (Appendix A).

600 East Michigan Avenue:

This parcel is a closed LUST site with three releases reported in 1990, 1991, and 1999. Various subsurface investigations were completed on this parcel from 1990 to 2000 to assess former gasoline dispensing operations on the property which occurred in at least 1940 and from the 1970s to 2000.

In 1991, three USTs (two 600-gallon and one 1,000-gallon of unknown contents) were removed from the northwestern portion of the parcel. Two releases were confirmed during UST removal activities and approximately 4,200 cubic yards of contaminated soils were removed from the parcel. Verification of soil remediation (VSR) and two additional soil sampling events were completed between 1991 and 1996, in which analytical results supported Type B Closure and were below Tier 1 Residential Soil Leaching to Groundwater Criteria and the releases was granted closure.

A waste oil UST was removed in 1996 with no assessment from the rear of the former service station building. In 1999, field observations noted photo-ionization detector (PID) readings (3.2 to 72 ppm) in the backfill in the area of the waste oil UST. A release was reported based on these observations in 1999. Subsequent sampling identified various volatile organic compound (VOC) and polynuclear aromatic compound (PNA) compounds in the fill above the current Part 213 Drinking Water Protection (DWP) and/or Groundwater Surface Water Interface Protection (GSIP) RBSLs. Delineation sampling did not identify any compounds above the laboratory method detection limits (MDLs) and the release received Type B Closure.

At the time of the 2011 Phase I ESA, the parcel was occupied by a gasoline dispensing station. SME documented similar historical information as included in this Phase I ESA, and identified the following RECs: former operations associated with the former automotive sales and service operations; former gasoline dispensing operations; potential fill materials associated with the former buildings; and adjoining properties to the east, south, and west based on former operations.

At the time of the 2013 Phase I ESA, the parcel was vacant of buildings and occupants. PM documented similar historical information was documented as in the Phase I ESA. The following RECs were identified: the historic use of the parcel for automotive service operations with the potential use of in-ground hoists and the lack of subsurface investigations from 2000 to 2011 when the property was occupied by gasoline dispensing station. Off-site RECs identified include: the historic use of the north adjoining property (605 East Michigan Avenue) as a dry cleaning business from at least 1916 to 1959, the historic use of the east adjoining property (614 East Michigan Avenue (current subject property parcel)) as an automotive service garage and/or gasoline service station since at least the 1960s, and the historic use of the south adjoining property (119 South Larch Street) as an automotive service garage since at least 1965.

During the 2013 subsurface investigation, a ground penetrating radar (GPR) survey was completed to investigate the potential for in-ground hoists. One anomaly consistent with an in-ground hoist was identified during the GPR survey and is located within the footprint of the former building. An exploratory boring was advanced within the center of the anomaly. A metal structure

was encountered directly beneath the concrete and appears to be consistent with the top of an in-ground hoist.

Additionally, 13 soil borings were advanced to between 15.0 and 20.0 feet below ground surface (bgs), four temporary monitoring wells were installed, and three temporary soil gas sampling points were installed. Soil and groundwater samples were analyzed for VOCs, PNAs, polychlorinated biphenyls (PCBs), and metals (cadmium, chromium, and lead). Soil gas samples were analyzed for VOCs. Soil analytical results documented PNAs above Part 213 RBSLs for DWP and Direct Contact (DC) and lead above Part 213 RBSLs in the southwestern portion of the parcel. Groundwater analytical results documented various VOCs and PNAs in the central and western portions of the parcel. Soil gas analytical results identified VOCs above Residential Soil Gas Screening Levels.

Based on the analytical results, a BEA and DDCC were completed for the current owner.

Previous site assessment activities completed in 2013 document that soil and groundwater contamination exists on-site above the current MDEQ Part 213 RBSLs. Based on these analytical results and its closed LUST status, the subject property meets the definition of a "property," in accordance with Michigan Part 213.

Four current USTs remain on the 600 East Main parcel of the subject property.

636 East Michigan Avenue:

This parcel is an open LUST site with three releases reported in 1995. Various subsurface investigations were completed on this parcel from 1995 to 1999 to assess former bulk petroleum distribution and/or coal storage operations on the parcel, which occurred from at least 1940 to the early 1990s.

Multiple subsurface investigations were completed for the parcel in at least 1994 and 1995; however, not all reports were available for PM's review. A majority of the reports were summarized in the 1997 RBCA report. The parcel formerly contained six USTs (i.e. containing fuel oil, used, oil, or gasoline), which were removed in 1995. The parcel also contained ten bulk petroleum ASTs formerly located in the southern portion of the parcel. During UST removal activities, three releases were reported associated with former USTs located in the northeastern, western, central, and eastern portions of the parcel. Analytical results documented various VOCs and PNAs in the locations of the former USTs above the Part 213 RBSLs. Groundwater sampling was not included based on groundwater not encountered until approximately 40.0 feet bgs.

In 1998, approximately 3,200 cubic yards of stock piled contaminated soils were removed from the southern portion of the parcel. The source of the soil piles was not identified; however, the piles were likely associated with the removal of multiple USTs on this portion of the subject property. After removal, VSR sampling (limited to the southern portion of the parcel) was completed. Samples were analyzed for VOCs, PNAs, and lead. Analytical results were below Part 201 Generic Residential Cleanup Criteria (GRCC). Lead was identified above statewide background levels, but below direct contact levels.

Review of the 2015 Phase II ESA, indicates that a Phase I ESA was completed in 2015, which documented RECs associated with the known contamination on the parcel, the former truck repair

operations with a former structure on the west-central portion of the parcel, the historic coal storage operations on the eastern and central portions of the parcel, and the former presence of railroad spurs located on the parcel. A copy of the Phase I ESA was not included for PM's review.

During the subsurface investigation, 21 soil borings were advanced to depths between 2.0 and 8.0 feet bgs. Soil samples were collected and analyzed for VOCs, PNAs, Michigan-10 (arsenic, barium, cadmium, chromium, copper, lead, mercury, selenium, silver, and zinc). Soil analytical results documented various VOC, PNAs, and metals above Part 201 GRCC, Part 213 RBSLs, and/or statewide background levels.

Based on the analytical results, a BEA was completed for the current tenant of the parcel.

Previous site assessment activities completed in 1994, 1995, and 2015 document that soil contamination exists on-site above the current MDEQ Part 201 Generic Residential Cleanup Criteria and Part 213 RBSLs. Based on these analytical results and its open LUST status, the subject property meets the definition of a "facility" and a "site," in accordance with Michigan Parts 201 and 213

1.5 Summary of Current Site Investigation

Prior to the commencement of field activities, MISSDIG, a utility locating service, was contacted to locate utilities on or adjacent to the subject property. Based on the large size of the subject property a joint meet was conducted with PM field staff and utility locators. Utilities were marked by the respective utility companies in the proposed soil boring location areas. The soil borings were also cleared of private subsurface utilities using GPR (Section 1.6).

In December 2017, PM completed a scope of work consisting of a geophysical survey to determine the potential presence of orphan USTs on the 612-614 East Michigan Avenue parcel using GPR; the advancement of 43 soil borings (SB-1 through SB-43); the installation of 18 temporary monitoring wells (TMW-4, TMW-6, TMW-7, TMW-10, TMW-11, TMW-13, TMW-14, TMW-15, TMW-16, TMW-18, TMW-26, TMW-27, TMW-29, TMW-33, TMW-35, TMW-36, TMW-40, and TMW-42); and the installation of 19 soil gas sample points (SSG-1, SG-2 through SG-6, SG-8, SG-10, SG-13, SG-19, SG-23, SG-25, SG-29, SG-31, and SG-33 through SG-37), and the collection of soil, groundwater, and soil gas samples for laboratory analysis of VOCs, PNAs, polychlorinated biphenyls (PCBs), Michigan ten metals (arsenic, barium, cadmium, chromium, copper, lead, mercury, selenium, silver, and zinc), and glycols, or some combination thereof. Select soil samples were also analyzed for Toxicity Characteristic Leaching Procedure (TCLP) lead. The soil boring/temporary monitoring well/soil gas locations and analytical results are included on Figures 3, 4, and 5 and in Tables 1 through 4. The soil boring/temporary monitoring well/soil gas logs are included as Appendix B.

The table below summarizes PM's December 2017 Phase II ESA activities including total boring depth, objective of the soil borings, and sample justification:

Description of Soil Boring and Temporary Monitoring Well Locations

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/SSG-1 (20.0)	Soil: (6.0-7.0)	Lead and TCLP Pb	Re-asses soil lead concentrations at former (2013) soil boring PSB- 9 location (6.0- 7.0'), and current soil gas concentrations	Soil: A replicate sample was collected at 6.0-7.0-feet bgs. Groundwater: Not Sampled Soil Gas: Sampled
	Soil Gas: (5.0)	VOCs		
PSB/SG-2 (10.0)	Soil Gas : (4.5)	VOCs	Assess current soil gas concentrations at former (2013) PSG-3 location	Soil: Not Collected Groundwater: Not Sampled Soil Gas: Sampled
PSB/SG-3 (10.0)	Soil Gas: (5.0)	VOCs	Assess current soil gas concentrations at former (2013) PSG-2 location	Soil: Not Collected Groundwater: Not Sampled Soil Gas: Sampled
PSB/TMW/SG-4 (20.0)	Soil: (6.5-7.5)	VOCs and PNAs	Assess potential contaminant migration from the south adjoining property	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected above the saturated zone. Groundwater: Not Sampled Soil Gas: Sampled
	GW: (6.0-11.0)	VOCs and PNAs		
	Soil Gas: (7.1)	VOCs		
PSB/SG-5 (20.0)	Soil: (4.0-5.0)	VOCs and PNAs	Assess potential contaminant migration from the south adjoining property	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected above the saturated zone. Groundwater: Not Sampled Soil Gas: Sampled
	Soil Gas: (4.5)	VOCs		

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Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/TMW/SG-6 (20.0)	Soil: (9.0-10.0)	VOCs, PNAs, and Pb	Assess former gasoline filling operations and potential contaminant migration from the north adjoining former drycleaners	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected above the saturated zone. Groundwater: Sampled Soil Gas: Sampled
	GW: (8.0-13.0)	VOCs, PNAs, and dissolved Pb		
	Soil Gas: (4.5)	VOCs		
PSB/TMW-7 (20.0)	Soil: (12.0-13.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess former gasoline filling operations	Soil: A soil sample was collected at the interval with the highest PID reading (218 ppm). Groundwater: Sampled Soil Gas: Not Sampled
	GW: (7.0-12.0)	VOCs, PNAs, and dissolved Pb		
PSB/SG-8 (20.0)	Soil: (11.0-12.0 and 19.0-20.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess current/former service operations and interior gasoline UST	Soil: A soil sample was collected t the approximate bottom depth of discovered interior orphan UST Groundwater: Not Encountered Soil Gas: Sampled
	Soil Gas: (3.5)	VOCs		
PSB-9 (7.0)	Soil: (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess current/former service operations	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected at a geologic interface. Groundwater: Not Encountered Soil Gas: Not Sampled

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Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/TMW/ SG-10 (20.0)	Soil: (11.0-12.0)	VOCs, PNAs, and Pb	Assess historical gasoline UST	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected at the approximate bottom depth of the historical gasoline UST Groundwater: Sampled Soil Gas: Sampled
	GW: (7.0-12.0)	VOCs, PNAs, and dissolved Pb		
	Soil Gas: (9.5)	VOCs		
PSB/TMW-11 (5.0)	Soil: 2.0-3.0	VOCs, PNAs, Glycols, and Pb	Assess the former radiator shop operations	Soil: A soil sample was collected at the interval with the highest PID reading (5.9 ppm). Groundwater: Sampled Soil Gas: Not Sampled
	GW: (0.0-5.0)	VOCs, PNAs, Glycols, and dissolved Pb		
PSB-12 (5.5)	Soil: (3.0-4.0)	VOCs, PNAs, and Pb	Assess former glassworks operations	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected above the saturated zone. Groundwater: Not Sampled Soil Gas: Not Sampled
PSB/TMW/ SG-13 (5.0)	Soil: (0.0-1.0)	VOCs, PNAs, and Pb	Assess former glassworks operations	Soil: A soil sample was collected at the interval with the highest PID reading (0.8 ppm). Groundwater: Sampled Soil Gas: Sampled
	GW: (0.0-5.0)	VOCs, PNAs, and dissolved Pb		
	Soil Gas: (Sub-slab)	VOCs		
PSB/TMW- 14/14R (20.0)	Soil: (0.5-1.5)	VOCs, PNAs, and PCBs	Assess former hydraulic scale house operations	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected beneath the pavement. Groundwater: Not Sampled Soil Gas: Not Sampled
	GW: (9.0-14.0)	NA (well did not produce)		

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Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/TMW-15 (15.0)	Soil: (1.0-2.0)	VOCs and PNAs	Assess former fuel oil UST basin	Soil: A soil sample was collected at the interval with the highest PID reading (0.8 ppm). Groundwater: Sampled Soil Gas: Not Sampled
	GW: (0.0-5.0)	VOCs and PNAs		
PSB/TMW-16 (15.0)	Soil: (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected beneath the pavement. Groundwater: Sampled Soil Gas: Not Sampled
	GW: (0.0-5.0)	Dissolved MI-10 Metals		
PSB-17 (15.0)	Soil: (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	Soil: A soil sample was collected in an interval of sand with coal debris Groundwater: Not Sampled Soil Gas: Not Sampled
PSB/TMW-18 (15.0)	Soil: (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	Soil: A soil sample was collected in an interval of clay with coal debris Groundwater: Sampled Soil Gas: Not Sampled
	GW: (0.0-5.0)	Dissolved MI-10 Metals		
PSB/SG-19 (20.0)	Soil: (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected at a geologic interface. Groundwater: Not Encountered Soil Gas: Not Sampled
	Soil Gas: (sub-slab)	NA		
PSB-20 (20.0)	Soil: (0.0-1.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected immediately beneath the floor slab. Groundwater: Not Sampled Soil Gas: Not Sampled

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Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB-21 (15.0)	Soil: (4.5-5.5)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical 1,000 gallon used oil UST basin	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected at a geologic interface above the water table. Groundwater: Not Sampled Soil Gas: Not Sampled
PSB-22 (20.0)	Soil: (1.0-2.0 and 16.0-17.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical used oil and fuel oil UST basin	Soil: A soil sample was collected in a shallow discolored interval (1.0-2.0') and at the interval with the highest PID reading (0.6 ppm; 16.0-17.0'). Groundwater: Not Encountered Soil Gas: Not Sampled
PSB/SG-23 (20.0)	Soil: (0.5-1.5)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations	Soil: A soil sample was collected from a discolored interval beneath the asphalt pavement (suspected coal debris) and at the interval with the highest PID reading (170.1 ppm). Groundwater: Not Encountered Soil Gas: Sampled
	Soil Gas: (11.0)	VOCs		
PSB-24 (15.0)	Soil: (1.0-2.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected immediately beneath the surface pavement Groundwater: Not Encountered Soil Gas: Not Sampled
PSB/SG-25 (20.0)	Soil: (11.0-12.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	Soil: A soil sample was collected at the interval with the highest PID reading (11.1 ppm). Groundwater: Not Encountered Soil Gas: Sampled
	Soil Gas: (8.5)	VOCs		

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Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/TMW-26 (20.0)	Soil: (3.5-4.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	Soil: A soil sample was collected at a geologic interface. Groundwater: Sampled Soil Gas: Not Sampled
	GW: (4.0-9.0)	VOCs, PNAs, and dissolved MI-10 Metals		
PSB/TMW-27 (1567.0)	Soil: (2.5-3.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	Soil: A soil sample was collected at the interval with the highest PID reading (58 ppm) Groundwater: Sampled Soil Gas: Not Sampled
	GW: (1.0-6.0)	VOCs, PNAs, and dissolved MI-10 Metals		
PSB-28 (20.0)	Soil: (3.0-4.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	Soil: A soil sample was collected at a geologic interface. Groundwater: Not Sampled Soil Gas: Not Sampled
PSB/TMW/SG- 29 (20.0)	Soil: (2.0-3.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	Soil: A soil sample was collected at the interval with the highest PID reading (77.0 ppm). Groundwater: Sampled Soil Gas: Sampled
	GW: (12.0-17.0)	VOCs and PNAs		
	Soil Gas: (2.5)	VOCs		
PSB-30 (20.0)	Soil: (0.5-1.5)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	Soil: A soil sample was collected at the interval with the highest PID reading (100.0 ppm). Groundwater: Not Encountered Soil Gas: Not Sampled

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Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/SG-31 (20.0)	Soil: (4.0-5.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	Soil: A soil sample was collected at the interval with the highest PID reading (87.5 ppm). Groundwater: Not Encountered Soil Gas: Not Sampled
	Soil Gas: (4.5)	VOCs		
PSB-32 (20.0)	Soil: (2.0-3.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs and loading rack	Soil: A soil sample was collected at the interval with the highest PID reading (104.0 ppm). Groundwater: Not Encountered Soil Gas: Not Sampled
PSB/TMW/ SG-33 (20.0)	Soil: (12.0-13.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	Soil: A soil sample was collected from an interval of coarse sand with gravel that contrasted with other soils in the boring. Groundwater: Sampled Soil Gas: Sampled
	GW: (14.0-19.0)	VOCs and PNAs		
	Soil Gas: (1.5)	VOCs		
PSB/SG-34 (20.0)	Soil: (1.0-2.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	Soil: A soil sample was collected at the interval with the highest PID reading (52.9 ppm). Groundwater: Not Sampled Soil Gas: Sampled
	Soil Gas: (1.5)	VOCs		
PSB/TMW/SG- 35 (20.0)	Soil: (2.0-3.0)	VOCs and PNAs	Assess potential migration from former bulk petroleum operations to the south	Soil: A soil sample was collected at the interval with the highest PID reading (110 ppm). Groundwater: Sampled Soil Gas: Sampled
	GW: (7.0-12.0)	VOCs and PNAs		
	Soil Gas: (1.5)	VOCs		
PSB/TMW/SG- 36 (15.0)	Soil: (3.0-4.0)	VOCs and PNAs	Assess potential migration from former bulk petroleum operations to the south	Soil: A soil sample was collected at the interval with the highest PID reading (68.1 ppm). Groundwater: Sampled Soil Gas: Sampled
	GW: (7.0-12.0)	VOCs and PNAs		
	Soil Gas: (0.5)	VOCs		

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Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB-37 (20.0)	Soil: (8.0-9.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former residential fill and migration from the north adjoining property	Soil: Due to the lack of field screening evidence of contamination, a soil sample was collected above the water table. Groundwater: Not Sampled Soil Gas: Sampled
	Soil Gas: (8.5)	VOCs		
PSB-38 (30.0)	Soil: (2.0-3.0 and 29.0-30.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former residential fill and migration from the north adjoining parcel	Soil: Due to the lack of field screening evidence of contamination or groundwater, both shallow and deep soil samples were collected. Groundwater: Not Encountered Soil Gas: Not Sampled
PSB-39 (15.0)	Soil: (2.5-3.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former coal yard and rail operations	Soil: A soil sample was collected above a geologic interface. Groundwater: Not Sampled Soil Gas: Not Sampled
PSB/TMW-40 (15.0)	Soil: (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	Soil: sampled from an area of black discolored sand that contrasted with other soils in the boring Groundwater: Sampled Soil Gas: Not Sampled
	GW: (2.0-7.0)	VOCs, PNAs, and dissolved Cd, Cr and Pb		
PSB-41 (3.5)	Soil: (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess interior used oil AST area	Soil: A soil sample was collected at a geologic interface. Groundwater: Not Encountered Soil Gas: Not Sampled

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Sample Selection (justification)
PSB/TMW-42 (20.0)	Soil: (9.0-10.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess exterior orphan USTs	Soil: A soil sample was collected at the interval with the highest PID reading (318.7 ppm).
	GW: (11.0-16.0)	VOCs, PNAs, and dissolved Cd, Cr and Pb		Groundwater: Sampled Soil Gas: Not Sampled
PSB-43 (20.0)	Soil: (15.0-16.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess exterior orphan USTs	Soil: A soil sample was collected at a geologic interface. Groundwater: Not Encountered Soil Gas: Not Sampled

bgs = below ground surface
Pb = Lead

PID = photoionization detector
Cd = Cadmium

ppm = parts per million
Cr = Chromium

1.6 Summary of Geophysical Investigation Activities

On December 18, 2017, PM completed a GPR survey at the subject property (Figure 2) to investigate the potential for orphan USTs and to clear the soil borings of subsurface utilities. At the time of the survey, weather conditions were approximately 40° F and light rain.

The GPR survey was completed using a GSSI® SIR-3000 radar control unit equipped with a 400 megahertz (MHz) antenna. The survey was completed utilizing 2-dimensional scanning methods in a 2 foot surface grid pattern (i.e., in north-south and east-west directions), to a maximum depth of 4.5 feet bgs.

PM encountered the following project specific conditions that limited its ability to assess the subject property:

- Parked vehicles located near the western perimeter of the subject property;
- Interior storage located within the building;
- Operations located within the building;

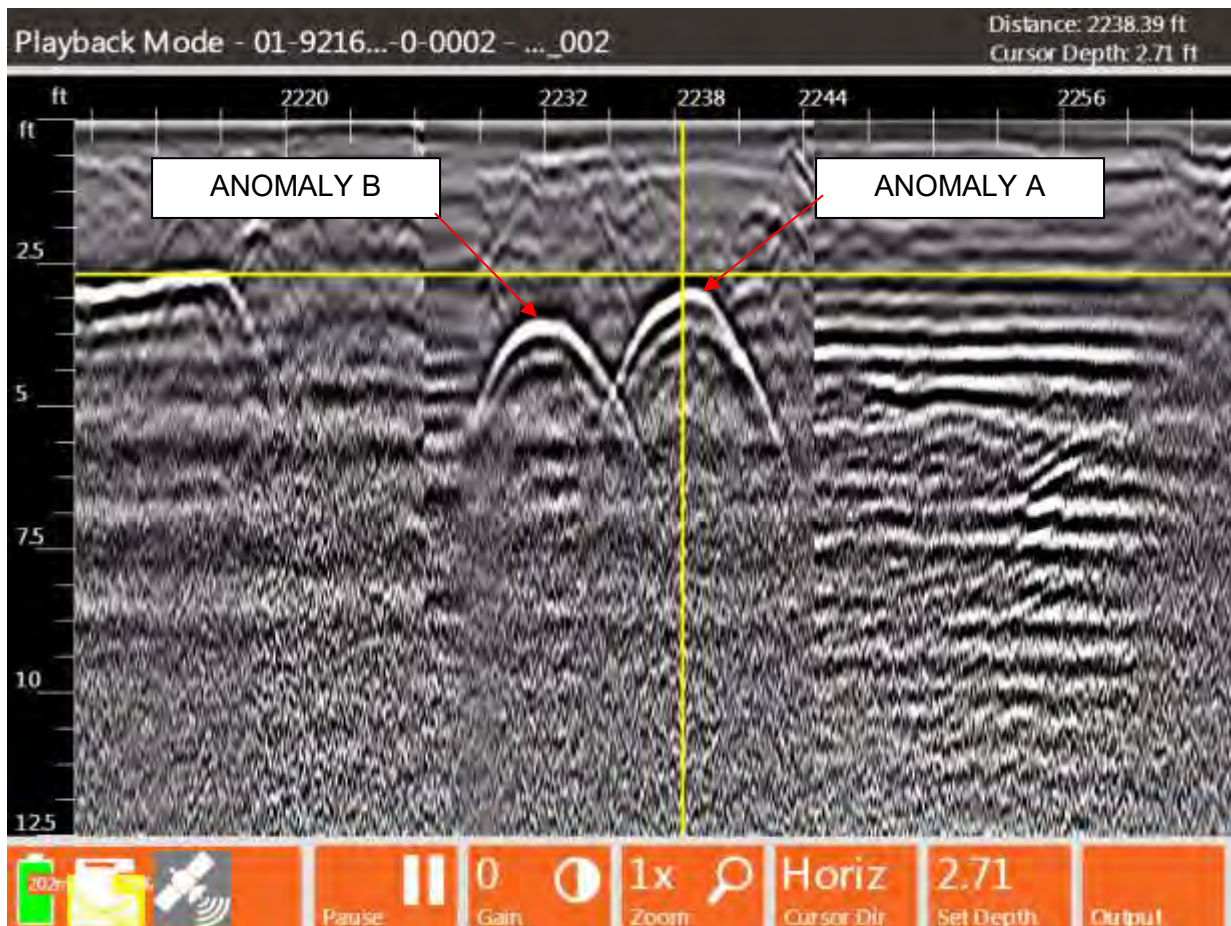
Three anomalies consistent with an orphan USTs were identified during the GPR survey.

Anomaly A is located west of the subject building. Anomaly A is approximately 15.0 feet in length, 7.0 feet in width, and located approximately 2.5 feet bgs. One shallow hand auger soil boring was advanced to 2.5 feet near the center of the anomaly. Refusal was encountered and a commercial metal detector (schoonstedt) was used to verify that the anomaly was metallic in nature.

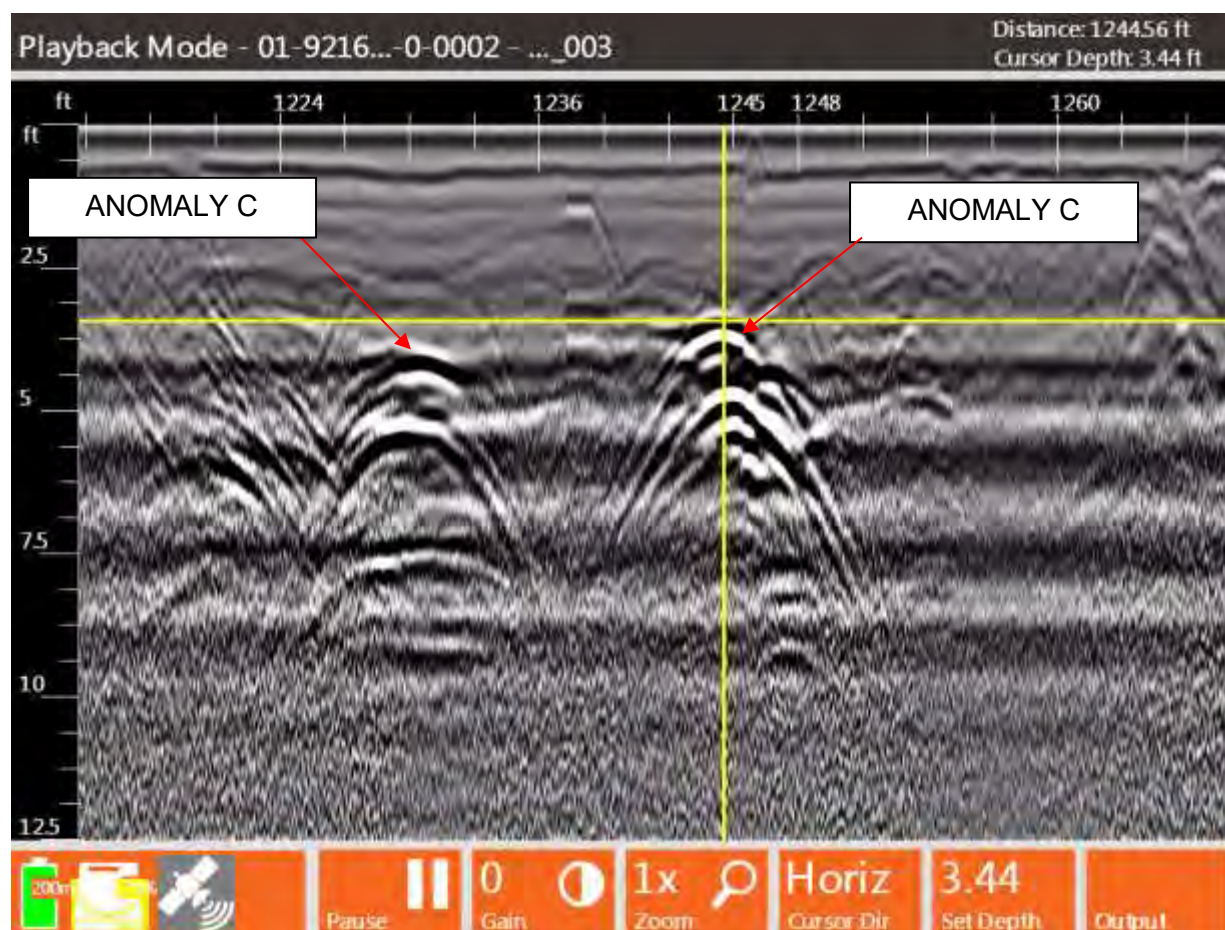
Anomaly B is located west of the subject building. Anomaly B is approximately 15.0 feet in length, 7.0 feet in width, and located approximately 2.75 feet bgs. One shallow hand auger soil boring was advanced to 2.75 feet near the center of the anomaly. Refusal was encountered and a schonstedt was used to verify that the anomaly was metallic in nature.

Anomaly C is located inside of the subject building. Anomaly C is at least 9.0 feet in length, 5.0 feet in width, and located approximately 3.0 feet bgs. One shallow hand auger soil boring was advanced to 2.5 feet near the center of the anomaly. Refusal was encountered and a schonstedt was used to verify that the anomaly was metallic in nature.

The following is an example data set collected from the subject property depicting the anomalies:



Anomaly A and Anomaly B.



Anomaly C at two different angles.

Other anomalies not consistent with USTs (i.e., those consistent with subsurface utilities, rebar, etc.) may have been observed; however, are not included within this report.

As indicated above, the metallic nature of the anomalies was confirmed using a stainless steel hand auger and a schonstedt metal detector. Anomalies A and B also correlate with two vent pipes identified along the western wall of the 612-614 East Michigan Avenue building, as summarized in the February 2018 Phase I ESA. Therefore, each anomaly (i.e., A through C) is believed to be a previously unknown, orphan UST with approximate capacities ranging from 1,000 gallons to 1,500 gallons.

Subsequent to identification of the orphan USTs, soil borings PSB-8, PSB-42, and PSB-43 were advanced adjacent to each on December 20, 2018 (Section 1.5 and Appendix B) and based on the identification of field screening evidence of a LUST release, the orphan USTs were registered with the Department of Licensing and Regulatory Affairs, Bureau of Fire Services, Storage Tank Division, and a confirmed release reported on December 21, 2018, which is within 24-hours of discovery. UST registration and release reporting was completed under Brogan's Tire and Auto Service, Inc., the current owner of the 612-614 East Michigan Avenue parcel.

The open LUST status of the 612-614 East Michigan Avenue parcel of the subject property indicates that it is a "site," in accordance with Part 213.

1.7 Subsurface Investigations Techniques and QA/QC Procedures

The soil borings were advanced to the desired depth using a direct push model 6712DT Geoprobe® drill rig and/or a stainless steel hand auger. Soil sampling was performed for soil classification, verification of subsurface geologic conditions, and for investigating the potential and/or extent of soil and groundwater contamination at the subject property. Soil samples were generally collected on a continuous basis using a 5-foot macro-core sampler.

Soils collected from discrete sample intervals were screened using a PID to determine if VOCs were present. Soil from specific depths was placed in plastic bags, sealed, and allowed to volatilize. The headspace within each bag was then monitored with the PID. The PID is able to detect trace levels of organic compounds in the air space within the plastic bag. The PID utilizes a 10.6 electron volts (eV) lamp. Soil samples were collected from the soil borings based upon the highest PID reading, visual/olfactory evidence of impact, a change in geology, former/current site feature depths, and/or surficial soil.

Soil samples for VOC analysis were preserved with methanol in accordance with United States Environmental Protection Agency (USEPA) Method 5035 modified.

Temporary monitoring wells were installed for groundwater sample collection in selected soil boring locations. Each consisted of a 5-foot one inch diameter, 0.010-inch slot, schedule 40, PVC screen and a one inch diameter PVC casing, which was lowered into the borehole to intersect the water table. After the screen for the well was set to the desired depth, an artificial sand pack or natural sands were allowed to collapse around the well screen. The groundwater samples for laboratory analyses were transferred directly from the low-flow pump discharge line into appropriately labeled sample containers with Teflon lined lids. Purge water was maintained separate and returned to the well.

The soil and groundwater samples were placed in appropriately labeled containers with Teflon® lined lids and/or sanitized glass jars, then placed in an ice-packed cooler and transported under chain of custody procedures for laboratory analysis within applicable holding times.

The soil vapor sampling was completed in general accordance with the guidelines established in the May 2013 MDEQ Guidance Document for the Vapor Intrusion Pathway, which included the quality assurance/quality control (QA/QC) procedures outlined below.

The soil gas sample were collected utilizing a polyethylene implant that is approximately two inches in length that is affixed to appropriate length tubing for sample collection and inserted into the annulus of the borehole. Upon completion of the borehole, a sampling interval is established by filling the hole with bentonite to the desired lower depth, as needed, inserting the sample implant and tubing, creating a sand pack of no more than one foot with the sampling implant in the center, and filling the remainder of the bore hole with bentonite.

Prior to the collection of each soil gas sample, the sampling apparatus was determined to be leak free utilizing an isolation chamber that encompassed tubing and associated connections as well as the sampling point. The chamber was charged with helium prior to purging the sampling point of a maximum of three volumes. A helium detector was then applied to the sampling line to ensure

no leaks had occurred. The soil gas samples were collected using 1-liter canisters regulated with a flow rate of 200 ml/minute and transported under chain of custody procedures for laboratory analysis within applicable holding times.

The soil, groundwater, and soil gas samples were submitted to Merit Laboratories, Inc. (Merit) in East Lansing, Michigan, for laboratory analysis.

Upon completion of the investigation, temporary monitoring well and soil gas sample materials were removed from the borehole. The soil boring/temporary monitoring well/soil gas sample locations were abandoned by placing the soil cuttings back into the borehole, filling the void with bentonite chips, hydrating the chips, resurfacing and returning the area to its pre-drilling condition.

1.8 Geology and Hydrogeology

Based on review of the current and previous boring logs from PM's December 2017 site investigation, the soil stratigraphy generally consists of up to 10.0 feet of sand underlain by clay with interbedded layers of sand and/or gravelly sand to a depth of at least 30.0 feet bgs, the maximum depth explored. Exceptions include soil boring PSB-2 where only pea gravel was encountered to 10.0 feet bgs; PSB-4 where sand soils were encountered to the maximum explored depth of 20.0 feet bgs; and soil boring PSB-10, PSB-35, and PSB-38, where sand soils were encountered at depths greater than 10.0, 20.0, and 14.0 feet bgs, respectively.

Perched and discontinuous groundwater was encountered at depths between 0.95 and 10.87 feet bgs during the December 2018 site investigation, with a thin lamina of water present immediately under pavement at soil borings PSB-15 and PSB-18, likely as a result of rainy conditions during the time period of the investigation.

2.0 LOCATION OF CONTAMINATED MEDIA ON THE SUBJECT PROPERTY

The analytical results from PM's 2017 investigation were compared with the MDEQ Generic Cleanup Criteria and Screening Levels as presented in Part 201 Rules 299.1 through 299.50, dated December 30, 2013 entitled "Cleanup Criteria Requirements for Response Activity", in accordance with Section 20120a(1) using the Residential and Nonresidential Cleanup Criteria. The analytical results for the groundwater and soil gas samples collected by PM were also compared with the MDEQ Media-Specific Volatilization to Indoor Air Interim Action Screening Levels, which are also known as Recommended Interim Action Screening Levels (RIASLs). A copy of the laboratory analytical reports for PM's December 2017 site investigation are included in Appendix C.

Relevant portions of the previous reports, including sample location maps and analytical summary tables, are also included in Section 10.4 of the February 2018 Phase I ESA (Appendix A).

2.1 Summary of Analytical Results (December 2017)

The sample analytical results and locations for PM's December 2017 site investigation are summarized on PM's Figures 3, 4, and 5 and in Tables 1 through 4.

Summary of Soil, Groundwater, and Soil Gas Analytical Results

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/SSG-1 (20.0)	Soil: (6.0-7.0)	Lead and TCLP Pb	Re-asses soil lead concentrations at former (2013) soil boring PSB- 9 location (6.0- 7.0')	Soil: None
	Soil Gas: (5.0)	VOCs		Soil Gas: None
PSB/SG-2 (10.0)	Soil Gas : (4.5)	VOCs	Assess current soil gas concentrations at former (2013) PSG-3 location	Soil Gas: None
PSB/SG-3 (10.0)	Soil Gas: (5.0)	VOCs	Assess current soil gas concentrations at former (2013) PSG-2 location	Soil Gas: None
PSB/TMW/SG-4 (20.0)	Soil: (6.5-7.5)	VOCs and PNAs	Assess potential contaminant migration from the south adjoining property	Soil: None
	GW: (6.0-11.0)	VOCs and PNAs		Groundwater: None
	Soil Gas: (7.1)	VOCs		Soil Gas: None
PSB/SG-5 (20.0)	Soil: (4.0-5.0)	VOCs and PNAs	Assess potential contaminant migration from the south adjoining property	Soil: None
	Soil Gas: (4.5)	VOCs		Soil Gas: None
PSB/TMW/SG-6 (20.0)	Soil: (9.0-10.0)	VOCs, PNAs, and Pb	Assess former gasoline filling operations and potential contaminant migration from the north adjoining former drycleaners	Soil: None
	GW: (8.0-13.0)	VOCs, PNAs, and dissolved Pb		Groundwater: None
	Soil Gas: (4.5)	VOCs		Soil Gas: None

**Baseline Environmental Assessment of the 600 Block Urban Redevelopment Property
Located at 600-636 E. Michigan Avenue, 117 S. Larch Street,
145-147 S. Larch Street, and 601-637 Barnard Street, Lansing, Michigan
PM Environmental, Inc. Project No. 01-9216-0-0002; February 28, 2018**

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/TMW-7 (20.0)	Soil: (12.0-13.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess former gasoline filling operations	Soil: VOCs – Residential and Nonresidential RIASLs
	GW: (7.0-12.0)	VOCs, PNAs, and dissolved Pb		Groundwater: None
PSB/SG-8 (20.0)	Soil: (11.0-12.0 and 19.0-20.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess current/former service operations and interior gasoline UST	Soil: VOCs – Residential and Nonresidential DWP, GSIP, and RIASLs
	Soil Gas: (3.5)	VOCs		Soil Gas: None
PSB-9 (7.0)	Soil: (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr, and Pb	Assess current/former service operations	Soil: PNAs - GSIP
PSB/TMW/ SG-10 (20.0)	Soil: (11.0-12.0)	VOCs, PNAs, and Pb	Assess historical gasoline UST	Soil: None
	GW: (7.0-12.0)	VOCs, PNAs, and dissolved Pb		Groundwater: None
	Soil Gas: (9.5)	VOCs		Soil Gas: None
PSB/TMW-11 (5.0)	Soil: 2.0-3.0	VOCs, PNAs, Glycols, and Pb	Assess the former radiator shop operations	Soil: None
	GW: (0.0-5.0)	VOCs, PNAs, Glycols, and dissolved Pb		Groundwater: None
PSB-12 (5.5)	Soil: (3.0-4.0)	VOCs, PNAs, and Pb	Assess former glassworks operations	Soil: None

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PM Environmental, Inc. Project No. 01-9216-0-0002; February 28, 2018

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/TMW/ SG-13 (5.0)	Soil: (0.0-1.0)	VOCs, PNAs, and Pb	Assess former glassworks operations	Soil: None
	GW: (0.0-5.0)	VOCs, PNAs, and dissolved Pb		Groundwater: None
	Soil Gas: (Sub-slab)	VOCs		Soil Gas: None
PSB/TMW- 14/14R (20.0)	Soil: (0.5-1.5)	VOCs, PNAs, and PCBs	Assess former hydraulic scale house operations	Soil: PNAs – Residential and Nonresidential DC
	GW: (9.0-14.0)	NA (well did not produce)		Groundwater: None
PSB/TMW-15 (15.0)	Soil: (1.0-2.0)	VOCs and PNAs	Assess former fuel oil UST basin	Soil: None
	GW: (0.0-5.0)	VOCs and PNAs		Groundwater: None
PSB/TMW-16 (15.0)	Soil: (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	Soil: None
	GW: (0.0-5.0)	Dissolved MI-10 Metals		Groundwater: None
PSB-17 (15.0)	Soil: (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	Soil: Chromium - Residential and Nonresidential DWP and GSIP
PSB/TMW-18 (15.0)	Soil: (0.5-1.5)	MI-10 Metals	Assess former coal yard and rail operations	Soil: Mercury - GSIP
	GW: (0.0-5.0)	Dissolved MI-10 Metals		Groundwater: Arsenic – Residential and Nonresidential DW and GSI

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Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/SG-19 (20.0)	Soil: (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	Soil: VOCs and PNAs - Residential and Nonresidential DWP, GSIP and RIASLs; Residential DC
	Soil Gas: (sub-slab)	NA		Soil Gas: None
PSB-20 (20.0)	Soil: (0.0-1.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	Soil: VOCs and PNAs - Residential and Nonresidential DWP and GSIP; Residential DC
PSB-21 (15.0)	Soil: (4.5-5.5)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical 1,000 gallon used oil UST basin	Soil: None
PSB-22 (20.0)	Soil: (1.0-2.0 and 16.0-17.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical used oil and fuel oil UST basin	Soil: PNAs - Residential and Nonresidential GSIP and DC
PSB/SG-23 (20.0)	Soil: (0.5-1.5)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations	Soil: VOCs and PNAs – Residential and Nonresidential DWP, GSIP, and RIASLs
	Soil Gas: (11.0)	VOCs		Soil Gas: None
PSB-24 (15.0)	Soil: (1.0-2.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations	Soil: None
PSB/SG-25 (20.0)	Soil: (11.0-12.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	Soil: Mercury – GSIP
	Soil Gas: (8.5)	VOCs		Soil Gas: None

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PM Environmental, Inc. Project No. 01-9216-0-0002; February 28, 2018**

Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/TMW-26 (20.0)	Soil: (3.5-4.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	Soil: None
	GW: (4.0-9.0)	VOCs, PNAs, and dissolved MI-10 Metals		Groundwater: VOCs, PNAs and Arsenic - Residential and Nonresidential DW and GSI
PSB/TMW-27 (1567.0)	Soil: (2.5-3.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	Soil: VOCs, PNAs, Mercury, and Selenium – Residential and Nonresidential DWP, GSIP, and RIASLs; Residential DC
	GW: (1.0-6.0)	VOCs, PNAs, and dissolved MI-10 Metals		Groundwater: VOCs, PNAs and Arsenic - Residential and Nonresidential DW and GSI, and Residential RIASLs
PSB-28 (20.0)	Soil: (3.0-4.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess historical coal yard, petroleum dispensing, and gasoline release area	Soil: VOCs - Residential and Nonresidential GSIP and RIASLs
PSB/TMW/SG- 29 (20.0)	Soil: (2.0-3.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	Soil: VOCs, PNAs – GSIP
	GW: (12.0-17.0)	VOCs and PNAs		Groundwater: None
	Soil Gas: (2.5)	VOCs		Soil Gas: None
PSB-30 (20.0)	Soil: (0.5-1.5)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	Soil: VOCs and PNAs – Residential and Nonresidential DWP and GSIP
PSB/SG-31 (20.0)	Soil: (4.0-5.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	Soil: VOCs and PNAs – GSIP
	Soil Gas: (4.5)	VOCs		Soil Gas: None
PSB-32 (20.0)	Soil: (2.0-3.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs and loading rack	Soil: VOCs and PNAs – GSIP

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Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/TMW/ SG-33 (20.0)	Soil: (12.0-13.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	Soil: None
	GW: (14.0-19.0)	VOCs and PNAs		Groundwater: None
	Soil Gas: (1.5)	VOCs		Soil Gas: None
PSB/SG-34 (20.0)	Soil: (1.0-2.0)	VOCs and PNAs	Assess former bulk petroleum storage ASTs	Soil: VOCs – Residential and Nonresidential RIASLs
	Soil Gas: (1.5)	VOCs		Soil Gas: None
PSB/TMW/SG- 35 (20.0)	Soil: (2.0-3.0)	VOCs and PNAs	Assess potential migration from former bulk petroleum operations to the south	Soil: VOCs – GSIP
	GW: (7.0-12.0)	VOCs and PNAs		Groundwater: VOCs - GSI and Residential RIASLs
	Soil Gas: (1.5)	VOCs		Soil Gas: None
PSB/TMW/SG- 36 (15.0)	Soil: (3.0-4.0)	VOCs and PNAs	Assess potential migration from former bulk petroleum operations to the south	Soil: VOCs – Residential and Nonresidential RIASLs; Residential DWP
	GW: (7.0-12.0)	VOCs and PNAs		Groundwater: None
	Soil Gas: (0.5)	VOCs		Soil Gas: None
PSB-37 (20.0)	Soil: (8.0-9.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former residential fill and migration from the north adjoining property	Soil: None
	Soil Gas: (8.5)	VOCs		Soil Gas: None
PSB-38 (30.0)	Soil: (2.0-3.0 and 29.0-30.0)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former residential fill and migration from the north adjoining parcel	Soil: None
PSB-39 (15.0)	Soil: (2.5-3.5)	VOCs, PNAs, PCBs, and MI-10 Metals	Assess former coal yard and rail operations	Soil: None

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Location (feet bgs)	Sample/ Screened Interval Depth (feet bgs)	Analysis	Objectives	Compounds Exceeding the Part 201/213 GCC/RBSLs, and MDEQ RIASLs
PSB/TMW-40 (15.0)	Soil: (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess historical vehicle service operations and in ground hoists	Soil: None
	GW: (2.0-7.0)	VOCs, PNAs, and dissolved Cd, Cr and Pb		Groundwater: None
PSB-41 (3.5)	Soil: (2.0-3.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess interior used oil AST area	Soil: None
PSB/TMW-42 (20.0)	Soil: (9.0-10.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess exterior orphan USTs	Soil: VOCs - Residential DWP
	GW: (11.0-16.0)	VOCs, PNAs, and dissolved Cd, Cr and Pb		Groundwater: VOCs and PNAs - Residential and Nonresidential DW and GSI, and RIASLs
PSB-43 (20.0)	Soil: (15.0-16.0)	VOCs, PNAs, PCBs, Cd, Cr and Pb	Assess exterior orphan USTs	Soil: None

DWP – Drinking Water Protection

GSIP – Groundwater Surface Water Interface Protection

DC: Soil Direct Contact

RIASL: Recommended Interim Action Screening Level for Vapor Intrusion

DW: Drinking Water

GSI: Groundwater Surface Water Interface

As summarized above, concentrations of various VOCs and PNAs, and the metals species chromium, mercury, and selenium were identified in soil above the Part 201/213 Residential and Nonresidential DWP, GSIP, and/or DC criteria/RBSLs, and/or the MDEQ Residential and Nonresidential RIASLs.

Concentrations of various VOCs and PNAs, and the metals species arsenic were identified in groundwater above the Part 201/213 Residential; and Nonresidential DW and/or GSI criteria/RBSLs, and/or the MDEQ Residential and Nonresidential RIASLs.

No concentrations of PCBs were identified in any of the soil samples collected from the subject property above the laboratory MDLs. Similarly no concentrations of glycols were identified in soil or groundwater above laboratory MDLs.

No concentrations of VOCs were identified in any of the soil gas samples above MDEQ Residential and Nonresidential RIASLs and/or the USEPA Office of Solid Waste and Emergency

Response (OSWER) Residential screening levels for compounds where MDEQ RIASLs were not available.

2.2 Subject Property Facility/Site/Property Status

A location where a hazardous substance is present in excess of the concentrations, which satisfy the requirements of subsection 20120a(1)(a) or (17), is a facility pursuant to Part 201. Section 20120a(1)(a) requirements are the cleanup criteria for unrestricted residential usage.

As indicated in Sections 1.4 and 2.1, based upon documented exceedances of the Part 201 Residential and Nonresidential GCC and Part 213 Residential and Nonresidential RBSLs, and its status as an open LUST site, the subject property is a facility as defined under Part 201, and a property and a site as defined under Part 213.

3.0 PROPERTY INFORMATION

3.1 Legal Description of Subject Property

A copy of assessing information with the legal descriptions for the parcels comprising the subject property is included in Appendix D.

3.2 Survey Map of Subject Property

A map of the subject property that depicts the property boundaries is included as Figure 2.

3.3 Subject Location and Analytical Summary Maps

Figures 3, 4, and 5 provide scaled maps of the subject property with site structures and soil boring/temporary monitoring well/soil gas sample locations, along with a summary of the soil, groundwater, and soil gas analytical results from PM's December 2017 site investigation activities. The sample locations from previous site investigations are summarized in the contents of Section 10.4 of the February 2018 Phase I ESA (Appendix A).

3.4 Subject Property Location Map

Figure 1 provides a scaled area map depicting the subject property location in relation to the surrounding area. Figure 2 provides a scaled map of the subject property with site features.

3.5 Subject Property Address

As indicated in Section 1.0, The subject property consist of 18 parcels and alleyway totaling approximately 4.0 acres and is located on the east side of South Larch Street and on the south side of East Michigan Avenue in Lansing, Michigan (Figures 1 and 2). Please refer to the summary table included in Section 1.0 for a listing of the subject property's parcel address and identification numbers.

3.6 Subject Spatial Data

The subject property is located in the Township four North (T. 4N), Range two West (R. 2W), Section 16, Lansing, Ingham County, Michigan.

According to the MDEQ GeoWebFace Website, the center of the subject property is located at latitude 42.733198 north and a longitude of -84.544285 west.

4.0 FACILITY STATUS OF SUBJECT PROPERTY

As indicated in Section 2.2 based upon documented exceedances of the Part 201 Residential and Nonresidential GCC and Part 213 Residential and Nonresidential RBSLs, and its status as an open LUST site, the subject property is a facility as defined under Part 201, and a property and a site as defined under Part 213.

4.1 Summary Data Tables

The soil, groundwater, and soil gas analytical results for the soil, groundwater, and soil gas samples collected during PM's December 2017 site investigation are summarized on Tables 1 through 4. The soil and groundwater analytical results from previous site investigations are summarized in Section 1.4 of this BEA and included in Section 10.4 of PM's February 2018 Phase I ESA.

4.2 Laboratory Reports and Chain of Custody Documentation

The laboratory analytical reports and associated laboratory chain of custody documentation for the samples collected during PM's December 2017 site investigation are included in Appendix C. The soil, groundwater, and soil gas samples were submitted to Merit Laboratories, Inc. in East Lansing, Michigan. The laboratory analytical reports associated with previous site investigations are on file with the MDEQ.

5.0 IDENTIFICATION OF BEA AUTHOR

This BEA was conducted on February 28, 2017 by Mr. J. Adam Patton, Manager of Site Investigation Services, PM Environmental, Inc., which is prior to or within 45 days of initial operation. Qualification statements are provided as Appendix E.

I declare that, to the best of my professional knowledge and belief, I meet the definition of *Environmental Professional* as defined in §312.10 of 40 CFR 312 and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



J. Adam Patton, CHMM
Manager of Site Investigation Services

6.0 AAI REPORT OR ASTM PHASE I ESA

As indicated in Section 1.3, PM performed a Phase I ESA of the subject property dated February 2, 2018, in conformance with the scope and limitations of ASTM Practice E 1527-13 for the subject property. The scope of the Phase I ESA included consideration of hazardous substances as defined in Section 20101(1)(x) of P.A 451 of 1994, as amended, and constituted the performance of an All Appropriate Inquiry in conformance with the standards and practices set forth in 40 CFR Part 312.

A copy of PM's February 2018 Phase I ESA is included in Appendix A.

7.0 REFERENCES

- Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, ASTM, ASTM Designation E 1527-13, Published November 2013;
- "Part 201 Cleanup Criteria and Part 213 Risk-Based Screening Levels," Revised December 2013 and in accordance with Section 20120a(1);
- MDEQ Operational Memorandum No. 2 "Sampling and Analysis," October 22, 2004, Revised July 5, 2007;
- MDEQ Guidance Document For The Vapor Intrusion Pathway, Policy and Procedure Number: 09-017, Appendix D Vapor Intrusion Screening Values, May 2013 (with the exception of the rescinded portions (June 2017) Appendix B.3 and Appendix D;
- MDEQ Media-Specific Volatilization to Indoor Air Interim Action Screening Levels, dated August 2017;
- MDEQ Baseline Environmental Assessment Submittal Form (EQP 4025), dated July 2017;
- Phase I ESA, PM, February 2, 2018.

Tables

Table 1: Amendment #2 Eligible Activities Cost Estimates

Item/Activity	Capital City Market - Approved Eligible Activities	Capital City Market - Estimated Total Incurred Eligible Activities	Clara's - 637 Michigan Estimated Eligible Activities		Amended Estimated Total Eligible Activities	Amended Total Local Only Eligible Activities	Amended Total MSF Eligible Activities	Amended Total EGLE Eligible Activities
Pre-Approved Activities								
Phase I ESA	\$ 6,000	\$ 7,750	\$ 3,700		\$ 11,450	\$ 3,700		\$ 7,750
Phase II ESA/BEA/DDCC	\$ 46,685	\$ 65,385			\$ 65,385			\$ 65,385
Hazardous Materials Survey	\$ 21,680	\$ 28,905	\$ 3,400		\$ 32,305	\$ 3,400		\$ 28,905
Pre-Approved Activities Sub-Total	\$ 74,365	\$ 102,040	\$ 7,100		\$ 109,140	\$ 7,100	\$ -	\$ 102,040
Department Specific Activities								
Contaminated Soil Transport and Disposal	\$ 479,100	\$ 200,000			\$ 200,000			\$ 200,000
Utility Migration Barriers	\$ 22,500	\$ 10,000			\$ 10,000			\$ 10,000
Utility Gasketing	\$ 25,000	\$ 5,000			\$ 5,000			\$ 5,000
Hazardous Materials Removal and Disposal	\$ 25,000	\$ 25,000			\$ 25,000	\$ 25,000		\$ -
Oversight, Sampling and Reporting by Environmental Professional	\$ 135,150	\$ 40,000			\$ 40,000			\$ 40,000
Department Specific Activities Sub-Total	\$ 686,750	\$ 280,000	\$ -		\$ 280,000	\$ 25,000	\$ -	\$ 255,000
Demolition								
Building Demolition			\$ 39,327		\$ 39,327	\$ 39,327		
Stabilization Demolition			\$ 26,673		\$ 26,673	\$ 26,673		
Demolition Project Management			\$ 3,300		\$ 3,300	\$ 3,300		
Site Demolition		\$ 15,000			\$ 15,000		\$ 15,000	
Removal of Underground Storage Tanks	\$ 50,000				\$ -			
Removal of Hoists	\$ 10,500	\$ 1,000			\$ 1,000			\$ 1,000
Demolition Sub-Total	\$ 60,500	\$ 16,000	\$ 69,300		\$ 85,300	\$ 69,300	\$ 15,000	\$ 1,000
Asbestos and Lead Activities								
Asbestos Abatement, Oversight, Air Monitoring and Reporting	\$ 100,000	\$ 1,000	\$ 35,000		\$ 36,000	\$ 35,000		\$ 1,000
Stabilization Abatement			\$ 3,876		\$ 3,876	\$ 3,876		
Asbestos Abatement Project Management (5%)			\$ 1,944		\$ 1,944	\$ 1,944		
Asbestos and Lead Activities Sub-Total	\$ 100,000	\$ 1,000	\$ 40,820		\$ 41,820	\$ 40,820	\$ -	\$ 1,000
Infrastructure Improvements								
Urban Storm Water Management System	\$ 255,784	\$ 310,000			\$ 310,000		\$ 310,000	
Bioswales	\$ 136,838	\$ 120,000			\$ 120,000		\$ 120,000	
Green Roof	\$ 72,250							
Gas Main	\$ 109,470	\$ 50,000			\$ 50,000		\$ 50,000	
Curbs and Gutters	\$ 87,029	\$ 150,000	\$ 76,632		\$ 226,632	\$ 76,632	\$ 150,000	
Side Walk Improvements	\$ 114,944							
Public Lighting	\$ 68,966	\$ 70,000			\$ 70,000		\$ 70,000	
Public Parklet			\$ 20,000		\$ 20,000	\$ 20,000		
Landscaping in ROW	\$ 132,459	\$ 135,000	\$ 22,500		\$ 157,500	\$ 22,500	\$ 135,000	
Associated GC General Conditions and Reimbursables, Project Management (5%), and Professional Fees Related to Geotechnical, Engineering & Design Work Directly Related to Infrastructure Activities	\$ 50,000	\$ 105,000	\$ 16,696		\$ 121,696	\$ 16,696	\$ 105,000	
Infrastructure Improvements Sub-Total	\$ 1,027,739	\$ 940,000	\$ 135,828		\$ 1,075,828	\$ 135,828	\$ 940,000	\$ -
Site Preparation								
Temporary Construction Access	\$ 3,831	\$ 3,500			\$ 3,500		\$ 3,500	
Temporary Traffic Control	\$ 8,210	\$ 8,210			\$ 8,210		\$ 8,210	
Temporary Erosion Control	\$ 8,210	\$ 8,210			\$ 8,210		\$ 8,210	
Temporary Site Control (fencing, gates, signage and/or lighting)	\$ 49,262	\$ 49,262	\$ 29,000		\$ 78,262	\$ 29,000	\$ 49,262	
Temporary Facility	\$ 17,242	\$ 17,242			\$ 17,242		\$ 17,242	
Grading/Land Balancing & Cut/Fill Operations	\$ 482,763	\$ 550,000	\$ 24,640		\$ 574,640	\$ 24,640	\$ 550,000	
Relocation and/or Replacement of Active Utilities - Water, Sanitary, Storm	\$ 58,019	\$ 180,000	\$ 50,568		\$ 230,568	\$ 50,568	\$ 180,000	
Relocation of Active Utility - Electric	\$ 180,626	\$ 90,000			\$ 90,000		\$ 90,000	
Staking	\$ 49,262	\$ 45,000	\$ 150		\$ 45,150	\$ 150	\$ 45,000	
Geotechnical Survey	\$ 10,947	\$ 10,947			\$ 10,947		\$ 10,947	
Foundation Work to Address Special Soil Concerns	\$ 232,624	\$ 435,000			\$ 435,000		\$ 435,000	
Retaining Walls	\$ 618,506	\$ 200,000			\$ 200,000		\$ 200,000	
Associated GC General Conditions and Reimbursables (inc. temp facility, and controls), Project Management (5%), and Professional Fees Related to Geotechnical, Engineering & Design Work Directly Related to Site Preparation Activities	\$ 50,000	\$ 151,271	\$ 15,957		\$ 167,228	\$ 15,957	\$ 151,271	
Site Preparation Sub-Total	\$ 1,769,500	\$ 1,748,642	\$ 120,315		\$ 1,868,957	\$ 120,315	\$ 1,748,642	\$ -
Brownfield Plan and Act 381 Workplan								
Brownfield Plan and Act 381 Work Plan Preparation	\$ 30,000	\$ 110,000	\$ 30,000		\$ 140,000	\$ 110,000	\$ 15,000	\$ 15,000
Brownfield Pan and Act 381 Work Plan Implementation	\$ 30,000	\$ 30,000	\$ 10,000		\$ 40,000	\$ 10,000	\$ 15,000	\$ 15,000
Brownfield Plan and Act 381 Workplan Sub-Total	\$ 60,000	\$ 140,000	\$ 40,000		\$ 180,000	\$ 120,000	\$ 30,000.00	\$ 30,000.00
Eligible Activities Sub-Total	\$ 3,778,854	\$ 3,227,682	\$ 413,363		\$ 3,641,045	\$ 518,363	\$ 2,733,642	\$ 389,040
15% Contingency*	\$ 546,673	\$ 447,846	\$ 54,939		\$ 502,786	\$ 58,689	\$ 405,546	\$ 38,550
Developer Eligible Reimbursement Sub-Total	\$ 4,325,527	\$ 3,675,528	\$ 468,302		\$ 4,143,830	\$ 577,052	\$ 3,139,188	\$ 427,590
Interest**		\$ 1,438,788	\$ 275,996		\$ 1,714,784	\$ 275,996	\$ 1,302,084	\$ 136,703
Construction Period Interest on Eligible Activities	\$ 5,575,446	\$ 79,776	\$ 8,000		\$ 87,776	\$ 87,776		
EGLE Grant Bridge Debt Interest		\$ 1,824			\$ 1,824	\$ 1,824		
Interest Sub-Total	\$ 5,575,446	\$ 1,520,387	\$ 283,996		\$ 1,804,384	\$ 365,596	\$ 1,302,084	\$ 136,703
Developer Eligible Reimbursement Total	\$ 9,900,973	\$ 5,195,915	\$ 752,299		\$ 5,948,214	\$ 942,648	\$ 4,441,272	\$ 564,293
LBRA Administrative Fee and Local Brownfield Revolving Fund (LBRF)	\$ 543,925				\$ 543,925			
State Brownfield Fund	\$ 299,323				\$ 299,323			
Total	\$ 10,744,220				\$ 6,791,461			

*15% Contingency excludes preparation of Brownfield Plan/381 Work Plan and Pre-Approved Activities

** 5% Simple Interest based on MSF and EGLE Interest Calculator

Table 2: Tax Increment Revenue Capture Estimates
Capital City Market Amendment #2

Estimated Taxable Value (TV) Increase Rate:		1% per year													
	Plan Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13
	Calendar Year	2018	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
	Base Taxable Value - 600 E Michigan	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438
	Base Taxable Value - 637 E Michigan		\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500
	Estimated New Taxable Value - 600 E Michigan		\$ 5,685,236	\$ 5,742,088	\$ 5,799,509	\$ 5,857,504	\$ 5,916,079	\$ 5,975,240	\$ 6,034,993	\$ 6,095,343	\$ 6,156,296	\$ 6,217,859	\$ 6,280,037	\$ 6,342,838	\$ 6,406,266
	Estimated New Taxable Value - 637 E Michigan		\$ -	\$ -	\$ 392,800	\$ 396,728	\$ 400,695	\$ 404,702	\$ 408,749	\$ 412,837	\$ 416,965	\$ 421,135	\$ 425,346	\$ 429,600	\$ 433,896
	Estimated Total New TV		\$ 5,685,236	\$ 5,742,088	\$ 6,192,309	\$ 6,254,232	\$ 6,316,775	\$ 6,379,942	\$ 6,443,742	\$ 6,508,179	\$ 6,573,261	\$ 6,638,994	\$ 6,705,384	\$ 6,772,437	\$ 6,840,162
	Incremental Difference (New TV - Base TV)		\$ 4,930,298	\$ 4,987,150	\$ 5,437,371	\$ 5,499,294	\$ 5,561,837	\$ 5,625,004	\$ 5,688,804	\$ 5,753,241	\$ 5,818,323	\$ 5,884,056	\$ 5,950,446	\$ 6,017,499	\$ 6,085,224
School Capture		Millage Rate													
	State Education Tax (SET)	6.0000	\$ 3,105	\$ 29,582	\$ 29,923	\$ 32,624	\$ 32,996	\$ 33,371	\$ 33,750	\$ 34,133	\$ 34,519	\$ 34,910	\$ 35,304	\$ 35,703	\$ 36,105
	School Operating Tax	18.0000	\$ 9,314	\$ 88,745	\$ 89,769	\$ 97,873	\$ 98,987	\$ 100,113	\$ 101,250	\$ 102,398	\$ 103,558	\$ 104,730	\$ 105,913	\$ 107,108	\$ 108,315
	School Total	24.0000	\$ 12,419	\$ 118,327	\$ 119,692	\$ 130,497	\$ 131,983	\$ 133,484	\$ 135,000	\$ 136,531	\$ 138,078	\$ 139,640	\$ 141,217	\$ 142,811	\$ 144,420
Local Capture		Millage Rate													
	Lansing Oper	19.4400	\$ 10,059	\$ 95,845	\$ 96,950	\$ 105,702	\$ 106,906	\$ 108,122	\$ 109,350	\$ 110,590	\$ 111,843	\$ 113,108	\$ 114,386	\$ 115,677	\$ 116,980
	Lans Com College	3.8072	\$ 1,970	\$ 18,771	\$ 18,987	\$ 20,701	\$ 20,937	\$ 21,175	\$ 21,416	\$ 21,658	\$ 21,904	\$ 22,152	\$ 22,402	\$ 22,655	\$ 22,910
	Ingham Intermed	4.7062	\$ 2,435	\$ 23,203	\$ 23,471	\$ 25,589	\$ 25,881	\$ 26,175	\$ 26,472	\$ 26,773	\$ 27,076	\$ 27,382	\$ 27,692	\$ 28,004	\$ 28,320
	Ingham Cnty Sum	6.8000	\$ 3,519	\$ 33,526	\$ 33,913	\$ 36,974	\$ 37,395	\$ 37,820	\$ 38,250	\$ 38,684	\$ 39,122	\$ 39,565	\$ 40,012	\$ 40,463	\$ 40,919
	Ingham County	3.2800	\$ 1,697	\$ 16,171	\$ 16,358	\$ 17,835	\$ 18,038	\$ 18,243	\$ 18,450	\$ 18,659	\$ 18,871	\$ 19,084	\$ 19,300	\$ 19,517	\$ 19,737
	Airport Auth	0.6990	\$ 362	\$ 3,446	\$ 3,486	\$ 3,801	\$ 3,844	\$ 3,888	\$ 3,932	\$ 3,976	\$ 4,022	\$ 4,067	\$ 4,113	\$ 4,159	\$ 4,206
	CATA	3.0070	\$ 1,556	\$ 14,825	\$ 14,996	\$ 16,350	\$ 16,536	\$ 16,724	\$ 16,914	\$ 17,106	\$ 17,300	\$ 17,496	\$ 17,693	\$ 17,893	\$ 18,095
	CADL-Library	1.5600	\$ 807	\$ 7,691	\$ 7,780	\$ 8,482	\$ 8,579	\$ 8,676	\$ 8,775	\$ 8,875	\$ 8,975	\$ 9,077	\$ 9,179	\$ 9,283	\$ 9,387
	Zoo Millage	0.4100	\$ 212	\$ 2,021	\$ 2,045	\$ 2,229	\$ 2,255	\$ 2,280	\$ 2,306	\$ 2,332	\$ 2,359	\$ 2,386	\$ 2,412	\$ 2,440	\$ 2,467
	Local Total	43.7094	\$ 22,617	\$ 215,500	\$ 217,985	\$ 237,664	\$ 240,371	\$ 243,105	\$ 245,866	\$ 248,654	\$ 251,471	\$ 254,315	\$ 257,189	\$ 260,090	\$ 263,021
Non-Capturable Millages		Millage Rate													
	Lansing Debt	0.2600	\$ 135	\$ 1,282	\$ 1,297	\$ 1,414	\$ 1,430	\$ 1,446	\$ 1,463	\$ 1,479	\$ 1,496	\$ 1,513	\$ 1,530	\$ 1,547	\$ 1,565
	Lansing Sch Debt	4.6000	\$ 2,380	\$ 22,679	\$ 22,941	\$ 25,012	\$ 25,297	\$ 25,584	\$ 25,875	\$ 26,168	\$ 26,465	\$ 26,764	\$ 27,067	\$ 27,372	\$ 27,680
	Total Non-Capturable Taxes	4.8600	\$ 2,515	\$ 23,961	\$ 24,238	\$ 26,426	\$ 26,727	\$ 27,031	\$ 27,338	\$ 27,648	\$ 27,961	\$ 28,277	\$ 28,597	\$ 28,919	\$ 29,245
	Total Capturable Millages	67.7094													
	Total Tax Increment Revenue (TIR) Available for Capture		\$ 333,828	\$ 337,677	\$ 368,161	\$ 372,354	\$ 376,589	\$ 380,866	\$ 385,185	\$ 389,549	\$ 393,955	\$ 398,406	\$ 402,901	\$ 407,441	\$ 412,027

Table 2: Tax Increment Revenue Capture Estimates
Capital City Market Amendment #2

Estimated Taxable Value (TV) Increase Rate:											
	Plan Year	14	15	16	17	18	19	20	21	TOTAL	
	Calendar Year	2034	2035	2036	2037	2038	2039	2040	2041		
	Base Taxable Value - 600 E Michigan	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438	\$ 517,438		
	Base Taxable Value - 637 E Michigan	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500	\$ 237,500		
	Estimated New Taxable Value - 600 E Michigan	\$ 6,470,329	\$ 6,535,032	\$ 6,600,382	\$ 6,666,386	\$ 6,733,050	\$ 6,800,381	\$ 6,868,384	\$ 6,937,068		
	Estimated New Taxable Value - 637 E Michigan	\$ 438,235	\$ 442,617	\$ 447,043	\$ 451,513	\$ 456,029	\$ 460,589	\$ 465,195	\$ 469,847		
	Estimated Total New TV	\$ 6,908,563	\$ 6,977,649	\$ 7,047,426	\$ 7,117,900	\$ 7,189,079	\$ 7,260,970	\$ 7,333,579	\$ 7,406,915		
	Incremental Difference (New TV - Base TV)	\$ 6,153,625	\$ 6,222,711	\$ 6,292,488	\$ 6,362,962	\$ 6,434,141	\$ 6,506,032	\$ 6,578,641	\$ 6,651,977		
School Capture	Millage Rate										
State Education Tax (SET)	6.0000	\$ 36,922	\$ 37,336	\$ 37,755	\$ 38,178	\$ 38,605	\$ 39,036	\$ 39,472	\$ 39,912	\$ 717,065	
School Operating Tax	18.0000	\$ 110,765	\$ 112,009	\$ 113,265	\$ 114,533	\$ 115,815	\$ 117,109	\$ 118,416	\$ 119,736	\$ 2,151,195	
School Total	24.0000	\$ 147,687	\$ 149,345	\$ 151,020	\$ 152,711	\$ 154,419	\$ 156,145	\$ 157,887	\$ 159,647	\$ 2,868,260	
Local Capture	Millage Rate										
Lansing Oper	19.4400	\$ 119,626	\$ 120,970	\$ 122,326	\$ 123,696	\$ 125,080	\$ 126,477	\$ 127,889	\$ 129,314	\$ 2,323,290	
Lans Com College	3.8072	\$ 23,428	\$ 23,691	\$ 23,957	\$ 24,225	\$ 24,496	\$ 24,770	\$ 25,046	\$ 25,325	\$ 455,002	
Ingham Intermed	4.7062	\$ 28,960	\$ 29,285	\$ 29,614	\$ 29,945	\$ 30,280	\$ 30,619	\$ 30,960	\$ 31,306	\$ 562,442	
Ingham Cnty Sum	6.8000	\$ 41,845	\$ 42,314	\$ 42,789	\$ 43,268	\$ 43,752	\$ 44,241	\$ 44,735	\$ 45,233	\$ 812,674	
Ingham County	3.2800	\$ 20,184	\$ 20,410	\$ 20,639	\$ 20,871	\$ 21,104	\$ 21,340	\$ 21,578	\$ 21,818	\$ 391,996	
Airport Auth	0.6990	\$ 4,301	\$ 4,350	\$ 4,398	\$ 4,448	\$ 4,497	\$ 4,548	\$ 4,598	\$ 4,650	\$ 83,538	
CATA	3.0070	\$ 18,504	\$ 18,712	\$ 18,922	\$ 19,133	\$ 19,347	\$ 19,564	\$ 19,782	\$ 20,002	\$ 359,369	
CADL-Library	1.5600	\$ 9,600	\$ 9,707	\$ 9,816	\$ 9,926	\$ 10,037	\$ 10,149	\$ 10,263	\$ 10,377	\$ 186,437	
Zoo Millage	0.4100	\$ 2,523	\$ 2,551	\$ 2,580	\$ 2,609	\$ 2,638	\$ 2,667	\$ 2,697	\$ 2,727	\$ 48,999	
Local Total	43.7094	\$ 268,971	\$ 271,991	\$ 275,041	\$ 278,121	\$ 281,232	\$ 284,375	\$ 287,548	\$ 290,754	\$ 5,223,747	
											\$ -
Non-Capturable Millages	Millage Rate										
Lansing Debt	0.2600	\$ 1,600	\$ 1,618	\$ 1,636	\$ 1,654	\$ 1,673	\$ 1,692	\$ 1,710	\$ 1,730	\$ 31,073	
Lansing Sch Debt	4.6000	\$ 28,307	\$ 28,624	\$ 28,945	\$ 29,270	\$ 29,597	\$ 29,928	\$ 30,262	\$ 30,599	\$ 549,750	
Total Non-Capturable Taxes	4.8600	\$ 29,907	\$ 30,242	\$ 30,581	\$ 30,924	\$ 31,270	\$ 31,619	\$ 31,972	\$ 32,329	\$ 580,823	
Total Capturable Millages	67.7094										
Total Tax Increment Revenue (TIR) Available for Capture		\$ 416,658	\$ 421,336	\$ 426,061	\$ 430,832	\$ 435,652	\$ 440,519	\$ 445,436	\$ 450,401		

Table 3: Tax Increment Revenue Reimbursement Estimates
Capital City Market Amendment #2

Developer Maximum Reimbursement	Total Proportionality	School & Local Taxes	Local-Only Taxes	Total
State	35.45%	\$ 1,774,250	\$ -	\$ 1,774,250
Local	64.55%	\$ 3,231,270	\$ 942,648	\$ 4,173,919
TOTAL	100.00%	\$ 5,005,520	\$ 942,648	\$ 5,948,169
EGLE	11.27%	\$ 564,293		\$ 564,293
MSF	88.73%	\$ 4,441,272		\$ 4,441,272
TOTAL	100.00%	\$ 5,005,565		\$ 5,005,565

Estimated Total Years of Plan:	21
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	1	2	3	4	5	6	7	8	9	10
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Total State Incremental Revenue	\$ 118,327	\$ 119,692	\$ 130,497	\$ 131,983	\$ 133,484	\$ 135,000	\$ 136,531	\$ 138,078	\$ 139,640	\$ 141,217
State Brownfield Revolving Fund (3 mills of SET)	\$ 14,961	\$ 16,312	\$ 16,498	\$ 16,686	\$ 16,875	\$ 17,066	\$ 17,260	\$ 17,455	\$ 17,652	\$ 17,851
State Tax Increment to Taxing Unit (10%) ("Pass-Through")	\$ 11,833	\$ 11,969	\$ 13,050	\$ 13,198	\$ 13,348	\$ 13,500	\$ 13,653	\$ 13,808	\$ 13,964	\$ 14,122
State TIR Available for Reimbursement	\$ 91,533	\$ 91,410	\$ 100,949	\$ 102,099	\$ 103,261	\$ 104,434	\$ 105,618	\$ 106,815	\$ 108,024	\$ 109,244
Total Local Incremental Revenue	\$ 215,500	\$ 217,985	\$ 237,664	\$ 240,371	\$ 243,105	\$ 245,866	\$ 248,654	\$ 251,471	\$ 254,315	\$ 257,189
LBRF and Admin Fee Capture (10%)	\$ 21,550	\$ 21,799	\$ 23,766	\$ 24,037	\$ 24,310	\$ 24,587	\$ 24,865	\$ 25,147	\$ 25,432	\$ 25,719
Local Tax Increment to Taxing Unit (10%) ("Pass Through")	\$ 21,550	\$ 21,799	\$ 23,766	\$ 24,037	\$ 24,310	\$ 24,587	\$ 24,865	\$ 25,147	\$ 25,432	\$ 25,719
Local TIR Available for Reimbursement	\$ 172,400	\$ 174,388	\$ 190,131	\$ 192,297	\$ 194,484	\$ 196,692	\$ 198,923	\$ 201,177	\$ 203,452	\$ 205,751
Total State & Local TIR Available	\$ 263,933	\$ 265,799	\$ 291,081	\$ 294,396	\$ 297,744	\$ 301,126	\$ 304,542	\$ 307,992	\$ 311,476	\$ 314,995

DEVELOPER	Beginning Balance											
DEVELOPER Reimbursement Balance	\$ 5,948,214	\$ 5,684,280	\$ 5,418,482	\$ 5,127,401	\$ 4,833,005	\$ 4,535,261	\$ 4,234,135	\$ 3,929,593	\$ 3,621,601	\$ 3,310,125	\$ 2,995,130	

MSF Non-Environmental Costs	\$ 4,441,272											
Eligible Activities Reimbursement	\$ 3,139,188											
State Tax Reimbursement		\$ 81,214	\$ 81,105	\$ 89,569	\$ 90,589	\$ 91,620	\$ 92,661	\$ 93,712	\$ 94,773	\$ 95,846	\$ 96,929	
Local Tax Reimbursement		\$ 152,965	\$ 154,729	\$ 168,697	\$ 170,618	\$ 172,559	\$ 174,519	\$ 176,498	\$ 178,497	\$ 180,516	\$ 182,556	
Eligible Activities Reimbursement Balance		\$ 2,905,009	\$ 2,669,174	\$ 2,410,908	\$ 2,149,700	\$ 1,885,522	\$ 1,618,342	\$ 1,348,133	\$ 1,074,862	\$ 798,500	\$ 519,015	
Interest Reimbursement	\$ 1,302,084											
State Tax Reimbursement		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Local Tax Reimbursement		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Interest Reimbursement Balance		\$ 1,302,084	\$ 1,302,084	\$ 1,302,084	\$ 1,302,084	\$ 1,302,084	\$ 1,302,084	\$ 1,302,084	\$ 1,302,084	\$ 1,302,084	\$ 1,302,084	

EGLE Environmental Costs	\$ 564,293											
Eligible Activities Reimbursement	\$ 427,590											
State Tax Reimbursement		\$ 10,319	\$ 10,305	\$ 11,380	\$ 11,510	\$ 11,641	\$ 11,773	\$ 11,907	\$ 12,042	\$ 12,178	\$ 12,315	
Local Tax Reimbursement		\$ 19,435	\$ 19,659	\$ 21,434	\$ 21,678	\$ 21,925	\$ 22,174	\$ 22,425	\$ 22,679	\$ 22,936	\$ 23,195	
Eligible Activities Reimbursement Balance		\$ 397,836	\$ 367,872	\$ 335,057	\$ 301,869	\$ 268,303	\$ 234,356	\$ 200,024	\$ 165,304	\$ 130,190	\$ 94,679	
Interest Reimbursement	\$ 136,703											
State Tax Reimbursement		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Local Tax Reimbursement		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Interest Reimbursement Balance		\$ 136,703	\$ 136,703	\$ 136,703	\$ 136,703	\$ 136,703	\$ 136,703	\$ 136,703	\$ 136,703	\$ 136,703	\$ 136,703	

Local Only Costs	\$ 942,648											
Local Tax Reimbursement	\$ 942,648	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Local Only Reimbursement Balance		\$ 942,648	\$ 942,648	\$ 942,648	\$ 942,648	\$ 942,648	\$ 942,648	\$ 942,648	\$ 942,648	\$ 942,648	\$ 942,648	

Total Annual Developer Reimbursement		\$ 263,933	\$ 265,799	\$ 291,081	\$ 294,396	\$ 297,744	\$ 301,126	\$ 304,542	\$ 307,992	\$ 311,476	\$ 314,995	
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Table 3: Tax Increment Revenue Reimbursement Estimates
Capital City Market Amendment #2

Estimated Capture		
Administrative and LBRF	\$	543,925
State Revolving Fund	\$	299,323

	11	12	13	14	15	16	17	18	19	20	21	
	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	TOTAL
Total State Incremental Revenue	\$ 142,811	\$ 144,420	\$ 146,045	\$ 147,687	\$ 149,345	\$ 151,020	\$ 152,711					\$ 2,358,488
State Brownfield Revolving Fund (3 mills of SET)	\$ 18,052	\$ 18,256	\$ 18,461	\$ 18,668	\$ 18,877	\$ 19,089	\$ 19,302					\$ 299,323
State Tax Increment to Taxing Unit (10%) ("Pass	\$ 14,281	\$ 14,442	\$ 14,605	\$ 14,769	\$ 14,935	\$ 15,102	\$ 15,271					\$ 235,849
State TIR Available for Reimbursement	\$ 110,477	\$ 111,722	\$ 112,980	\$ 114,250	\$ 115,533	\$ 116,829	\$ 118,138					\$ 1,823,317
Total Local Incremental Revenue	\$ 260,090	\$ 263,021	\$ 265,981	\$ 268,971	\$ 271,991	\$ 275,041	\$ 278,121	\$ 281,232	\$ 284,375	\$ 287,548	\$ 290,754	\$ 5,439,247
LBRF and Admin Fee Capture (10%)	\$ 26,009	\$ 26,302	\$ 26,598	\$ 26,897	\$ 27,199	\$ 27,504	\$ 27,812	\$ 28,123	\$ 28,437	\$ 28,755	\$ 29,075	\$ 543,925
Local Tax Increment to Taxing Unit (10%) ("Pass	\$ 26,009	\$ 26,302	\$ 26,598	\$ 26,897	\$ 27,199	\$ 27,504	\$ 27,812	\$ 28,123	\$ 28,437	\$ 28,755	\$ 29,075	\$ 543,925
Local TIR Available for Reimbursement	\$ 208,072	\$ 210,417	\$ 212,785	\$ 215,177	\$ 217,593	\$ 220,033	\$ 222,497	\$ 224,986	\$ 227,500	\$ 230,039	\$ 232,603	\$ 4,351,397
Total State & Local TIR Available	\$ 318,549	\$ 322,139	\$ 325,765	\$ 329,427	\$ 333,126	\$ 336,862	\$ 340,635	\$ 224,986	\$ 227,500	\$ 230,039	\$ 232,603	\$ 6,174,714
DEVELOPER												
DEVELOPER Reimbursement Balance	\$ 2,676,581	\$ 2,354,441	\$ 2,028,676	\$ 1,699,249	\$ 1,366,123	\$ 1,030,512	\$ 737,694	\$ 512,708	\$ 285,208	\$ 55,170	\$ 45	

MSF Non-Environmental Costs												
Eligible Activities Reimbursement												
State Tax Reimbursement	\$ 98,023	\$ 99,128	\$ 7,536									\$ 1,112,704
Local Tax Reimbursement	\$ 184,616	\$ 129,713										\$ 2,026,484
Eligible Activities Reimbursement Balance	\$ 236,377	\$ 7,536	\$ -									
Interest Reimbursement												
State Tax Reimbursement	\$ -	\$ -	\$ 83,670	\$ 101,370	\$ 102,509	\$ 103,658	\$ 70,321					\$ 461,529
Local Tax Reimbursement	\$ -	\$ 40,524	\$ 188,797	\$ 190,919	\$ 193,063	\$ 195,228	\$ 31,979					\$ 840,510
Interest Reimbursement Balance	\$ 1,302,084	\$ 1,261,560	\$ 989,092	\$ 696,802	\$ 401,231	\$ 102,345	\$ -					

EGLE Environmental Costs												
Eligible Activities Reimbursement												
State Tax Reimbursement	\$ 12,454	\$ 12,595	\$ 11,143									\$ 151,562
Local Tax Reimbursement	\$ 23,457	\$ 35,031										\$ 276,028
Eligible Activities Reimbursement Balance	\$ 58,768	\$ 11,143	\$ -									
Interest Reimbursement												
State Tax Reimbursement	\$ -	\$ -	\$ 10,631	\$ 12,880	\$ 13,024	\$ 11,920						\$ 48,455
Local Tax Reimbursement	\$ -	\$ 5,149	\$ 23,988	\$ 24,258	\$ 24,530	\$ 10,324						\$ 88,248
Interest Reimbursement Balance	\$ 136,703	\$ 131,555	\$ 96,936	\$ 59,798	\$ 22,244	\$ -						

Local Only Costs												
Local Tax Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,481	\$ 190,518	\$ 224,986	\$ 227,500	\$ 230,039	\$ 55,125	\$ 942,648
Total Local Only Reimbursement Balance	\$ 942,648	\$ 942,648	\$ 942,648	\$ 942,648	\$ 942,648	\$ 928,167	\$ 737,649	\$ 512,663	\$ 285,163	\$ 55,125	\$ -	
Total Annual Developer Reimbursement	\$ 318,549	\$ 322,139	\$ 325,765	\$ 329,427	\$ 333,126	\$ 335,611	\$ 292,818	\$ 224,986	\$ 227,500	\$ 230,039	\$ 55,125	\$ 5,948,169

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

**Conditional Transfer of Property Between City of Lansing
and Charter Township of DeWitt Pursuant to 1984 P.A. 425**

The Lansing City Council will hold a public hearing on Monday, May 10, 2021, at 7:00 p.m, via ZOOM Conferencing, Meeting ID 859 4003 6219, to consider a proposed agreement between the City of Lansing and Charter Township of DeWitt for Conditional Transfer of Property pursuant to 1984 P.A. 425.

The proposed land to be transferred is legally described as:

COMBINED PARCEL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 32, T.5 N.-R.2 W., TOWNSHIP OF DEWITT, CLINTON COUNTY, MICHIGAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 32; THENCE N.02°03'32"E., ON THE NORTH & SOUTH 1/4 LINE OF SAID SECTION, 1062.07 FEET TO THE SOUTH LINE AS DESCRIBED IN A 'COVENANT DEED' RECORDED AS DOCUMENT #5135201 OF CLINTON COUNTY RECORDS; THENCE ON SAID SOUTH LINE THE FOLLOWING FOUR (4) COURSES: (1) 198.27 FEET ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 595.55 FEET, AND A LONG CHORD WHICH BEARS N.68°18'12"E., 197.35 FEET TO A POINT OF TANGENCY; (2) THENCE N.58°46'04"E., 33.49 FEET TO A POINT OF CURVATURE; (3) THENCE 272.62 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 495.55 FEET, AND A LONG CHORD WHICH BEARS N.74°31'41"E., 269.20 FEET TO A POINT OF TANGENCY; (4) THENCE S.89°42'42"E, ON A LINE PARALLEL WITH AND 99.50 FEET SOUTH OF THE EAST & WEST 1/8 LINE OF SAID SECTION, 572.09 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD (BEING 66' WIDE AND ABANDONED BY RESOLUTION RECORDED AS DOCUMENT #5138451 OF CLINTON COUNTY RECORDS); THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE OF ABANDONED DEWITT ROAD THE FOLLOWING THREE (3) COURSES: (1) S.27°13'28"E., 335.08 FEET TO A POINT OF CURVATURE; (2) THENCE 340.76 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 734.32 FEET, AND A LONG CHORD WHICH BEARS S.13°55'49"E., 337.71 FEET TO A POINT OF TANGENCY; (3) THENCE S.00°38'10"E, 44.89 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD; THENCE CONTINUING S.00°38'10"E., ON SAID WESTERLY RIGHT-OF-WAY LINE, 534.20 FEET; THENCE N.89°43'51"W., PARALLEL WITH THE SOUTH LINE OF SAID SECTION, 646.75 FEET; THENCE S.00°09'58"W., 22.57 FEET TO SAID SOUTH SECTION LINE; THENCE N.89°43'51"W., ON SAID SOUTH SECTION LINE, 632.45 FEET TO THE NORTH 1/4 CORNER OF SECTION 5, T.4 N.-R.2 W.; THENCE CONTINUING N.89°43'51"W., ON SAID SOUTH SECTION LINE, 6.40 FEET TO THE POINT OF BEGINNING; CONTAINING 33.67 ACRES OF LAND AND SUBJECT TO ANY EASEMENTS OF RECORD.

A copy of the proposed agreement was placed on file with the Lansing City Clerk on May 4, 2021, and is available for viewing at the Ninth Floor, City Hall, 124 West Michigan Ave. or www.lansingmi.gov/clerk. For more information about this proposed agreement for Conditional Transfer of Property pursuant to 1984 P.A. 425, phone City

Council Offices on City business days, Monday through Friday, between 8 a.m. and 5 p.m. at 483-4177.

Members of the public wishing to participate in the meeting may do so by logging into or calling into the meeting using the website <https://us02web.zoom.us/j/85940036219> or by phone number 312-626-6799 using Meeting ID: 859 4003 6219.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office. 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests

If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

RESOLUTION # _____

BY THE COMMITTEE _____

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing (City) and the Charter Township of DeWitt (Township) are “local units” as defined by Public Act 425 of 1984, as amended, (Act 425), (MCL 124.21 et seq); and

WHEREAS, Act 425 enables two local units of government to conditionally transfer property by written agreement for the purpose of economic development projects; and

WHEREAS, the City and Township propose that certain property be conditionally transferred from the Township to the City pursuant to Act 425; and

WHEREAS, a proposed Agreement provides, among other things, for the conditional transfer of property in the Township to the City, the providing of governmental utilities and services, zoning, taxation, revenue sharing, charging for services and ordinance application and enforcement, and mutually benefits the City and Township; and

WHEREAS, a proposed draft of the Agreement was placed on file with the City Clerk on _____, 2021 and

WHEREAS, the City held a public hearing on _____, 20__ at the regularly scheduled Council meeting regarding the proposed Agreement, preceded by notice in accordance with the requirements of Michigan’s Open Meetings Act; and

WHEREAS, the proposed Agreement has been presented to Council for review and approval;

NOW, THEREFORE, BE IT RESOLVED the City finds that the conditional transfer of property from the Township to the City pursuant to the Agreement on file with the City Clerk will provide for the division of municipal powers, functions and responsibilities to allow for the joint administration of the transferred area and will assist economic development and be beneficial to the residents of the City and the Township, and will work to prevent conditions of unemployment.

BE IT FURTHER RESOLVED, pursuant to and in compliance with Act 425, the Mayor is hereby authorized to execute the Agreement for Conditional Transfer of Property Pursuant to 1984 PA 425, subject to the City Attorney’s prior approval and correction of non-material technical modifications, as necessary, for the property more particularly described as:

COMBINED PARCEL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 32, T.5 N.-R.2 W., TOWNSHIP OF DEWITT, CLINTON COUNTY, MICHIGAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 32; THENCE N.02°03'32"E., ON THE NORTH & SOUTH 1/4 LINE OF SAID SECTION, 1062.07 FEET TO THE SOUTH LINE AS DESCRIBED IN A 'COVENANT DEED' RECORDED AS DOCUMENT #5135201 OF CLINTON COUNTY RECORDS; THENCE ON SAID SOUTH LINE THE FOLLOWING FOUR (4) COURSES: (1) 198.27 FEET ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 595.55 FEET, AND A LONG CHORD WHICH BEARS N.68°18'12"E., 197.35 FEET TO A POINT OF TANGENCY; (2) THENCE N.58°46'04"E., 33.49 FEET TO A POINT OF CURVATURE; (3) THENCE 272.62 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 495.55 FEET, AND A LONG CHORD WHICH BEARS N.74°31'41"E., 269.20 FEET TO A POINT OF TANGENCY; (4) THENCE S.89°42'42"E, ON A LINE PARALLEL WITH AND 99.50 FEET SOUTH OF THE EAST & WEST 1/8 LINE OF SAID SECTION, 572.09 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD (BEING 66' WIDE AND ABANDONED BY RESOLUTION RECORDED AS DOCUMENT #5138451 OF CLINTON COUNTY RECORDS); THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE OF ABANDONED DEWITT ROAD THE FOLLOWING THREE (3) COURSES: (1) S.27°13'28"E., 335.08 FEET TO A POINT OF CURVATURE; (2) THENCE 340.76 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 734.32 FEET, AND A LONG CHORD WHICH BEARS S.13°55'49"E., 337.71 FEET TO A POINT OF TANGENCY; (3) THENCE S.00°38'10"E, 44.89 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD; THENCE CONTINUING S.00°38'10"E., ON SAID WESTERLY RIGHT-OF-WAY LINE, 534.20 FEET; THENCE N.89°43'51"W., PARALLEL WITH THE SOUTH LINE OF SAID SECTION, 646.75 FEET; THENCE S.00°09'58"W., 22.57 FEET TO SAID SOUTH SECTION LINE; THENCE N.89°43'51"W., ON SAID SOUTH SECTION LINE, 632.45 FEET TO THE NORTH 1/4 CORNER OF SECTION 5, T.4 N.-R.2 W.; THENCE CONTINUING N.89°43'51"W., ON SAID SOUTH SECTION LINE, 6.40 FEET TO THE POINT OF BEGINNING; CONTAINING 33.67 ACRES OF LAND AND SUBJECT TO ANY EASEMENTS OF RECORD.

BE IT FINALLY RESOLVED after the Agreement is executed, the City Clerk will file a duplicate original of the Agreement with the County Clerk of the County of Ingham and with the Secretary of State of the State of Michigan in the office of the Great Seal.

Approved for placement on the City Council agenda:

James D. Smiertka, City Attorney

Dated: _____

**AGREEMENT FOR CONDITIONAL TRANSFER OF PROPERTY
PURSUANT TO 1984 PA. 425
BY AND BETWEEN THE TOWNSHIP OF DeWITT AND THE CITY OF LANSING**

This Agreement ("Agreement") made this ____ day of _____, 2021, between the **CHARTER TOWNSHIP OF DeWITT** (the "Township"), a Michigan charter township organized and operating under the Charter Township Act, MCL 42.1, et seq., as amended, and the **CITY OF LANSING** (the "City"), a Michigan municipal corporation (individually, a "Party" and collectively, the "Parties").

WHEREAS, Township and City seek a regional partnership that will retain and attract businesses and jobs related to, and encourage, economic growth in the City and Township; and

WHEREAS, The City and Township find that the conditional transfer of the Transferred Area (defined herein) from the Township to the City pursuant to this Agreement and law will assist economic development and benefit the residents of the City and Township, including revenue that will support economic development; and

WHEREAS, this is an Agreement economically beneficial to the entire Mid-Michigan region; and

WHEREAS, the Township and the City are municipal corporations organized and existing pursuant to the laws of this State and are "local units" within the meaning of PA 1984 No. 425 (MCL 124.21 et seq.) "Act 425"; and

WHEREAS, Act 425 enables such local units, by written contract, to conditionally transfer property and jurisdiction pertaining to such property for the purpose of an economic development project or projects and to secure various public improvements and infrastructure necessary to develop the conditionally transferred property; and, in addition, the Township and City have agreed upon certain factors prior to entering into this written Agreement conditionally transferring the property, and, pursuant to Act 425, the Township, before signing this Agreement, held a public hearing on the ____ day of _____, 2021, regarding this conditional transfer agreement, and the City of Lansing held a public hearing on the ____ day of _____, 20__ regarding this same Agreement, both preceded by Notice in accordance with the requirements of the Michigan Open Meetings Act;

WHEREAS, the Township and City further find that the conditional transfer of property from the Township to the City pursuant to this Agreement will provide for certain municipal services to the Transferred Area, will assist economic development and be beneficial to the residents of the Township and City, and will work to prevent conditions of unemployment;

WHEREAS, this Agreement is meant to strengthen a mutual relationship between Township and City.

NOW THEREFORE, and pursuant to Act 425 of 1984, the Parties agree as follows:

ARTICLE I

DEFINITIONS AND REPRESENTATIONS

Section 1.1 Definitions.

- A. "Agreement" means this Agreement for Conditional Transfer of Property;
- B. "Transferred Area" means that portion of the Township legally described in Exhibit A and depicted in Exhibit B;
- C. "BWL" shall mean the Lansing Board of Water and Light, a City-owned municipal utility supplier;
- D. "Electric Service" means electric generation, transmission and distribution or any part thereof.
- E. "Company" means Emergent BioSolutions or any successor entity.
- F. "Tri-Party Development Agreement" means an agreement between the Parties and the Company which includes, *inter alia*, procedures and responsibilities relating to tax incentives and/or reimbursement of eligible brownfield costs.

Section 1.2 Representations.

The Township and the City represent that before entering into this Agreement the following factors were considered:

- A. Composition of the population; population density; land areas and land uses; assessed valuation; topography, natural boundaries and drainage basins; and past and probable future growth, including population increase and business and commercial development in the area, and the comparative data for the Township and the portion of the Township remaining after the transfer of the Transferred Area.
- B. The need for organized community services; the present costs and adequacy of governmental services in the Transferred Area; the practicality of supplying such services to the Transferred Area; the probable effect of the transfer and of the alternative courses of action on the costs and adequacy of services in the Transferred Area and on the remaining portion of the Township; the probable change in taxes and tax rate in the Transferred Area in relation to the benefits expected to accrue from such transfer; and the financial ability of the Township and the City by itself

and through its BWL to provide and maintain municipal and governmental services in the Transferred Area.

- C. The general effect upon the Parties of the transfer, and the relationship of the transfer to applicable land use plans.

ARTICLE II

AREA AND JURISDICTION TRANSFERRED

Section 2.1 Transfer of Property.

The Transferred Area consists of approximately ____ (____) acres and shall be conditionally transferred from the jurisdiction of the Township to the jurisdiction of the City for the purposes specified in this Agreement.

Section 2.2 Jurisdiction – Governmental Services.

A. Water Distribution and Electric Service within the Transferred Area.

Public water distribution and electric service for the Transferred Area shall be provided by the City, subject to state law regarding any existing electrical franchises pertaining to existing electrical services. The Township consents to the use of public roads, rights-of-way and easements throughout the Township for purposes of extension of water and electric distribution systems to the Transferred Area. The Township agrees to support acquisition and/or permitting that may be needed to effectuate this provision. The Transferred Area shall be considered as being within the corporate limits and jurisdiction of the City for the purpose of constructing service lines and laterals on public property for connection with the City's water distribution system and electric service, respectively, and the conduct of a water and electric service utility business therein.

B. Sanitary Sewer Service (Subject to Public Service review)

1. It is understood that the properties and or facilities currently being served by a public sanitary sewer system shall continue to be served by that sewer system, with all rights under said system.
2. Sanitary Sewer Service Zone-_____ (Defined on Attachment-A): The City shall have exclusive jurisdiction over the sanitary sewer system within Zone-_____ of the Transferred Area.

If, as determined by the Lansing City Engineer, the City is unable to serve any portion of Zone-_____, the City agrees to allow the owner of that portion to seek an alternative sanitary sewer service provider.

3. Sanitary Sewer Service Area-_____(Defined on Attachment-A): Requests for the extension of public sanitary sewer systems in Zone-_____ shall be submitted to both the City and Township to determine their respective abilities to serve.

The agency to which service is directed to will be based upon: system capacity, construction cost, annual operation and maintenance costs, and replacement costs.

- a. Disputes regarding sewer service jurisdiction shall be resolved by:
 - i. The recommendation of an independent engineering study commissioned by both Parties. The study shall include but is not limited to: system capacity, construction costs, annual operation and maintenance costs, and replacement costs.
4. All lands within the Transferred Area shall abide by the sanitary sewer ordinances, regulations, standards, and laws of the municipality providing sanitary sewer service.
5. Design of any public sanitary sewer system shall be in accordance with the requirements of the municipality which is to take ownership of said system, as well as the requirements of the State of Michigan.

The construction of a public sanitary sewer system may be accomplished through a "Letter of Intent", "Petition", or other public infrastructure funding mechanisms, allowed under municipal ordinances.

6. Private sanitary sewer connections to the public sanitary sewer systems shall be done in accordance with this agreement and the ordinances and laws of the municipality providing sanitary sewer service.
7. Approval and permitting of private plumbing systems in accordance with Section 2.2 (D)

C. Police and Fire Services.

In the Transferred Area, fire, emergency medical services, and police protection shall be provided by and under the jurisdiction of the City. 911 services shall be provided by Clinton County. Nothing in this Agreement shall be construed to modify or terminate the provisions of any fire or law enforcement mutual aid agreements or other agreements to which the City or Township is a party.

D. Administrative Code Enforcement.

Within the Transferred Area land state construction code (including issuance of building and other permits), electrical, mechanical, plumbing, housing and fire code, international property maintenance code, and rental code administration and enforcement shall be within the jurisdiction of the Township.

E. Storm Water Management.

For the purpose of storm water drainage and regulation the property shall remain as currently managed by Clinton County Drain Commissioner.

Section 2.3 Jurisdiction – Zoning and Land Use.

A. The zoning within the transferred area shall be under the jurisdiction of the City, but the City will maintain the most applicable zoning equivalent to that of the Township as of the effective date of the Agreement. In addition, the City and the Township shall:

1. Agree to discuss and review all changes in the configuration and use of the Transferred Area; and
2. Within six (6) months from the date of this Agreement, said the Parties shall develop a joint basic plan (also known as a comprehensive or master plan). Said plan shall take into consideration and, where possible, incorporate the Township's Comprehensive and South Central Area Plan and portions of the City Comprehensive Plan dealing with the Transferred Area, if any. Furthermore, this plan shall describe development objectives as well as explore funding resources for infrastructure (roads and utilities) necessary for development of vacant Airport property. The cost of comprehensive planning will be borne equally by the Township and City. The cost of such planning shall be equally divided between the Parties to this Agreement. The Parties also agree to review and update the Transferred Area Comprehensive Plan at least every five (5) years hereafter.

B. For purposes of preliminary and final site plan review relating to land uses within the Transferred Area, the Township shall be accorded agency status under the zoning and building codes of the City.

C. The City agrees to notify the Township of any new development or changes in operations that may affect residents living in the Township.

Section 2.4 Jurisdiction – Taxes and Assessments.

A. Real and Personal Property Taxing Jurisdiction.

For purposes of real and personal property assessment, taxation, and the granting of any tax exemptions except as provided in Section 2.6 the Transferred Area shall be considered to be within the City:

1. All real and personal property within the Transferred Area shall be taxed at millage rates levied by the City for City operations and any special voted millage.

B. City Income Tax Jurisdiction.

Effective January 1 in the first year after adoption of this Agreement, and for the remaining term of this Agreement and any extensions thereof, for purposes of City of Lansing income taxes, the 425 Area shall be within the corporate limits and jurisdiction of the City.

C. Special Assessments.

The Transferred Area shall be treated as being within the corporate limits and jurisdiction of the City for purposes of special assessments. In the event that a special assessment is levied in connection with sanitary sewer appurtenances for service to be provided by the Township, the City herewith consents that unpaid special assessments for that purpose shall constitute a lien on the property assessed in favor of the Township.

D. Drain Assessments.

The Transferred Property shall be considered as part of City for County or inter-county drain assessments or costs. All drain assessments will continue to be administered under the same procedures that are in place at the time of execution of the Agreement. The City agrees that any unpaid assessments levied by the Township for that purpose shall constitute a lien on the property assessed in favor of the Township.

Section 2.5 Jurisdiction – Rates, Connection Fees, and Electrical Service.

A. Utility and Other Services. All rates, charges and fees for solid waste disposal, recycling, electric services, chilled water and steam generation, and any other utility service

provided by the City shall be calculated, levied and collected by the City and BWL in accordance with the then-current rates and ordinances applicable to other property within the corporate limits of the City, and as may be adjusted by the City and BWL pursuant to rate-making authority.

B. Connection Fees. Where required by ordinance or resolution, connection fees and capital charges for water and sanitary sewer connections in the Transferred Area shall be at the rates normally charged by the municipality which is providing said service, and shall belong to that entity.

Section 2.6 Liens for Utility Service.

Liens for electric and water service made against real property in the Transferred Area shall be created and remain in full force and effect as if the Transferred Area were within the corporate limits of the City, and liens for sanitary sewage disposal shall be created and remain in full force and effect as if the Transferred Area were located within the territorial limits of the entity providing said service.

Section 2.7. Utility Rights of Way.

A. The Township grants the right, power and authority to the City and BWL, a municipal utility, its successors and assigns (collectively the "City") to construct, set, lay, operate, repair, maintain and use electric lines, consisting of poles, wires, cables, pipes, conduits, masts, towers, cross arms, guys, braces, feeders, transmission wires, transformers, and other electrical appliances, on, along, over, under, through and across the highways, streets, alleys, bridges, and other public places, for the sole purpose of providing electric utility service to the Transferred Area.

B. All utility infrastructure erected by the City within the Township shall be located so as not to cause unnecessary interference with the proper use of streets, alleys, and other public ways and places so as not to cause unnecessary interference with the rights or reasonable convenience of property owners who adjoin any streets, alleys or other public ways and places.

C. All City utility infrastructure to be erected under, at or on street crossings, highway crossings or railroad crossings including State, Turner and DeWitt Roads, shall be in full compliance as to construction as required by the laws of the State of Michigan and subject to the policies, procedures, rules and regulations of the Township and Clinton County.

D. The City shall at all times, to the extent allowed by law, keep and save the Township harmless and free from all costs, loss and damage to which the Township may be put by reason of the negligent construction and maintenance of City infrastructure, the erection and maintenance of which is hereby authorized. Provided, however, that this indemnification shall

not in any manner abrogate or diminish the defense of sovereign immunity or governmental immunity of the parties to others.

E. The Township shall at all times, to the extent allowed by law, keep and save the City harmless and free from all costs, loss and damage to which the City may be put by reason of the negligent construction and maintenance of Township infrastructure, the erection and maintenance of which is hereby authorized. Provided, however, that this indemnification shall not in any manner abrogate or diminish the defense of sovereign immunity or governmental immunity of the parties to others.

Section 2.8 Voting.

Any qualified electors residing within the Transferred Area shall for voting purposes be considered to be qualified electors of the City entitled to vote in all City, State and Federal matters.

ARTICLE III

TAXES AND OTHER REVENUE

Section 3.1 Revenue Sharing and Taxing Collection.

During each year commencing with the year following the year in which this Agreement is adopted, and each year thereafter for the remaining term of this Agreement, the City shall remit from taxes collected to the Township:

A. For operating and special voted millage, fifty percent (50%) of all ad valorem property tax revenue collected on the taxable value of all real and taxable personal property within the Transferred Area, including all interest and penalties. The City shall retain one hundred percent (100%) of any debt millage.

B. Fifty percent (50%) of the City's industrial facilities tax revenue collected on all property within the Transferred Area, if any.

C. Fifty percent (50%) of all income tax revenue received by the City from within the Transferred Area.

D. Fifty percent (50%) of all other revenues or fees levied by the City excepting: fees and charges for utilities as provided in Section 2.5, fire and ambulance fees, and City infrastructure improvements as provided in Section 2.7.

E. Tax and collection administration fees shall be retained by the City of Lansing.

F. In the event there is a reduction of tax liability paid in previous years which is the result of an appeal to either the Michigan Tax Tribunal, the Michigan State Tax Commission, or any other body, the Township and City shall remit any sums paid to each under Section 3.1.A as adjudicated.

G. The Township shall remain responsible for all pending Michigan Tax Tribunal appeals at the time of this Agreement.

H. The Parties acknowledge and agree that City may grant tax incentives and/or the use of tax increment revenue to reimburse eligible brownfield costs for the benefit of the Company per a brownfield plan amended to include the Transferred Area pursuant to 1996 P.A. 381 (Brownfield) and/or 1974 P.A. 198 resulting in reduced tax revenue from Company to the Parties.

Section 3.2 Changes in Tax Structure.

A. Should any real or personal property taxes be reduced, limited or eliminated by the legislature with respect to any real or personal property or class of property subject to the tax sharing formula provided in this section, then any substitute tax, source of revenue, fee or payment in lieu of taxes which the legislature may provide or authorize the City to collect in lieu of said taxes shall likewise be allocated and remitted to the Township in an amount of 50% of collected revenues.

B. Except for reductions due to the application of 1996 P.A. 381 (Brownfield) and/or 1974 P.A. 198, during the term of the Agreement if any tax incentive and/or abatement results in a net reduction in existing revenue to the Township, the Township Board must agree in writing with the reduction in tax revenue or be made whole by the City of Lansing.

Section 3.3 Funds Related to Public Roads and Rights-of-Way.

The City shall be entitled to apply for, receive and retain all funds related to public roads and rights-of-way under its jurisdiction in the Transferred Area, except DeWitt, State, and Turner Road. These roads shall remain under the jurisdiction of the Clinton County Road Commission.

Section 3.4 Remittance of Taxes and Other Revenue.

The City shall remit to the Township, within sixty (60) days of the City's receipt of any taxes, substitute taxes, fees and other revenue (collectively, the "Tax and Other Revenue"), the Township's share of the Tax and Other Revenue.

Section 3.5 Audit Rights.

When remitting the Tax and Other Revenue to the Township, the City shall provide to the Township a detailed summary accounting of the Tax and Other Revenue. The Township shall be entitled, upon reasonable notice to the City, to inspect, examine and make copies of the City's books, documents and records of the Taxes and Other Revenue. The inspection shall occur at the City's offices. Any inspection, examination, or copying of the City's books, documents and records shall occur within three (3) years of the Township's receipt of the Taxes and Other Revenues.

ARTICLE IV

TERM, TERMINATION AND POST-TERMINATION JURISDICTION

4.1 Term of Agreement.

A. Initial Term. The initial term of this Agreement shall commence on the date set forth in Section 6.11 below, and shall terminate on December 31 of the fiftieth (50th) full calendar year following the effective date, unless renewed as provided herein.

B. Renewal. Pursuant to Section 2(2) of Act 425, MCL 124.22(2), the legislative bodies of the Township and City herewith agree to the renewal of this Agreement upon the same terms for an additional fifty (50) years (provided that the Agreement does not otherwise terminate prior to the expiration of its initial term) pursuant to Section 4.2, Subsections B through H below.

4.2 Termination, Rescission and Reversion of Property to the Township.

This Agreement may be terminated by either Party upon sixty (60) days written notice to the other Party:

- A. By expiration of the term of this Agreement;
- B. By mutual written agreement of the Parties;
- C. By a referendum of the residents of the Township or the City initiated not more than forty-five (45) days after the approval of the Agreement by the governing body of the respective local governing unit;
- D. By operation of law in the event a court of competent jurisdiction shall order the termination of this Agreement;

E. Material Breach of this Agreement by the City or Township. In the event such a breach occurs, the non-breaching Party shall inform the breaching Party in specific detail of the breach in writing and the steps that need to be taken to cure the breach. The breaching Party shall have one hundred eighty (180) days in which to cure the breach (the “Cure Period”). In the event the breach is not cured before expiration of the Cure Period, the non-breaching Party may seek an order terminating the Agreement from a court of competent jurisdiction.

F. Failure of the Parties to execute a Tri-Party Development Agreement with Company within one hundred eighty (180) days from the effective date of this Agreement.

4.3 Effect of Expiration, Termination or Non-renewal.

A. Jurisdiction. In the event of the termination of this Agreement upon expiration of its initial term without renewal thereof by the Township, the Transferred Area shall automatically, unconditionally and for all purposes be within the sole, complete and permanent jurisdiction of the City or its successor. Upon the termination of this Agreement upon the expiration of its renewal period, the Transferred Area will automatically, unconditionally and for all purposes be within the sole, complete and permanent jurisdiction of the City or its successor. Upon the occurrence of subsections B through E of subsection 4.2 above, the Transferred Area will become automatically, unconditionally and for all purposes returned to the sole, complete and permanent jurisdiction of the Township or its successor.

B. Rights After Expiration, Termination or Non-Renewal, Electrical or Other Utility Service. Regardless of the method of expiration, termination or non-renewal under this Agreement, nothing herein shall be construed as transferring ownership of the BWL electric system or any other City-owned utilities from ownership of the City or, in the event the Township is providing sanitary sewer service within the Transferred Area, nothing herein shall be construed as transferring ownership of the Township-owned sanitary sewer system from the ownership of the Township.

C. Continuation of Utilities After Expiration, Termination or Non-Renewal. After termination, expiration or non-renewal of this Agreement, Lansing may continue to provide electric services to property owners within the Township as may be permitted by law, at the rates as established by its BWL. As to other utility services, the entity providing utility service to the property within the Transferred Area, as may be permitted by law, may continue to provide such service at customer rates and fees charged to others within the party providing the service.

D. Special Assessment Collection and Payment. In the event the Transferred Property reverts to the Township upon termination, the Township shall remain obligated to collect any outstanding City special assessments and remit all proceeds to the City.

Section 4.4 Prohibition of Annexation.

While this Agreement is in effect, no other method of annexation or transfer shall take place as to any portion of the Transferred Area and the City shall take action to prevent and actively oppose annexation, transfer or detachment of any property located in the Township.

ARTICLE V

ENFORCEMENT

Section 5.1 Enforcement, Extension of Dates.

In the event of a dispute between the Parties arising under this Agreement, this Agreement may be enforced by either Party in an action commenced in the Circuit Court for the County of Clinton. The parties reserve the right to extend any date or deadline included in this Agreement, except the termination date. This right of extension shall also be available to the Parties if the Agreement, or any part thereof, is enjoined or stayed by a court of competent jurisdiction.

ARTICLE VI

MISCELLANEOUS

Section 6.1 Amendment.

This Agreement may not be amended without the prior written approval of both the Township Board and the City Council. No third party shall have any vested rights by virtue of this Agreement.

Section 6.2 Notices.

Any notice, demand or communication required, permitted or desired to be given under this Agreement shall be deemed effectively given when personally delivered or mailed by first class or certified mail addressed as follows:

If to the Township:

DeWitt Charter Township Clerk
1401 W. Herbison Road
DeWitt, Michigan 48820

DeWitt Charter Township Manager

April 6, 2021

Draft 8

1401 W. Herbison Road
DeWitt, Michigan 48820

DeWitt Charter Township Supervisor
1401 W. Herbison Road
DeWitt, Michigan 48820

If to the City:

City of Lansing Clerk
124 W. Michigan Avenue
Lansing, Michigan 48933

City of Lansing Attorney
124 W. Michigan Avenue
Lansing, Michigan 48933

The Parties may, by written notice, designate any further or different address to which subsequent notices, demands or communications may be given.

Section 6.3 Governing Law.

This Agreement has been executed and delivered and it shall be interpreted, construed and enforced pursuant to and in accordance with the laws of the State of Michigan. All duties and obligations of the Parties created under this Agreement shall be considered as being performed in Clinton County, Michigan. The Parties agree that this Agreement was mutually drafted and cannot be construed against either the City or the Township upon the basis that one was the scrivener of this Agreement.

Section 6.4 Binding Effect.

This Agreement shall be binding upon the Parties hereto, their successors and assigns. This Agreement is executed by the City for and on its own behalf and on behalf of its BWL and shall be binding upon BWL and its officers and employees.

Section 6.5 Assignment.

No assignment of this Agreement or any of the rights and obligations thereunder shall be valid without the specific written consent of both Parties hereto.

Section 6.6 Severability.

In the event any provision of this Agreement is held to be unenforceable or any portion of the Transferred Area is held to be invalidly transferred for any reason, the unenforceability or

invalidity thereof shall not affect the remainder of this Agreement which shall remain in full force and effect and enforceable in accordance with its terms; except, in the event this Agreement is held to be void in its entirety, the Transferred Area shall return to the Township's complete jurisdiction, except for the City's jurisdiction over the electric systems within the area. If, because of the invalidity of any part of this Agreement or Agreements referenced herein, either Party determines that the material purpose and intent of the Agreement has failed, the parties shall renegotiate in good faith to amend the Agreement to make it valid and satisfactory to both parties.

Section 6.7 Articles and Other Headings.

The articles and other headings contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

Section 6.8 Counterparts.

This Agreement may be executed in any number of counterparts and each such counterpart shall be considered a valid original.

Section 6.9 Entire Agreement.

This Agreement supersedes all previous and contemporaneous contracts and constitutes the entire agreement between the Parties. Neither Party shall be entitled to benefits other than those specified in this Agreement. No oral statements or prior or contemporaneous written material not specifically incorporated or reference herein shall be of any force and effect, and both Parties specifically acknowledge in entering into and executing this Agreement they rely solely upon the representations and agreements contained in this Agreement, and in the other contracts specified herein.

Section 6.10 Allocation of Cost of Litigation.

In the event a lawsuit or action is filed challenging this Agreement, the City and Township shall each bear its own costs of such suit or proceedings, including attorney fees. If, after conclusion of the lower court proceedings, one of the Parties desires to further proceed on appeal, and the other Party declines, the party desiring to proceed shall bear all remaining costs. Settlement of any dispute filed concerning this Agreement shall be approved by both the Lansing City Council and the DeWitt Charter Township Board.

Section 6.11 Filing and Effective Date.

In accordance with Act 425, following the execution of this Agreement by the Township and the City, duplicate originals of the Agreement shall be filed with the Clerk of Ingham

April 6, 2021

Draft 8

County and with the Michigan Secretary of State. This Agreement, certified by the County Clerk or Secretary of State, shall be *prima facie* evidence of the conditional transfer of the Transferred Area. This Agreement shall be effective on the date it is filed with the Ingham County Clerk and Secretary of State.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date above first written by authority of the respective City Council and Township Board.

**DeWITT CHARTER TOWNSHIP, a
Michigan charter township**

**CITY OF LANSING, a Michigan municipal
corporation**

By: _____
_____, Supervisor

By: _____

And: _____
_____, Clerk

And: _____

APPROVED AS TO FORM:

DeWITT CHARTER TOWNSHIP ATTORNEY:

By: _____

AND:

LANSING CITY ATTORNEY:

By: _____

EXHIBIT A

LEGAL DESCRIPTION OF TRANSFERRED AREA

COMBINED PARCEL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF SECTION 32, T.5 N.-R.2 W., TOWNSHIP OF DEWITT, CLINTON COUNTY, MICHIGAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 32; THENCE N.02°03'32"E., ON THE NORTH & SOUTH 1/4 LINE OF SAID SECTION, 1062.07 FEET TO THE SOUTH LINE AS DESCRIBED IN A 'COVENANT DEED' RECORDED AS DOCUMENT #5135201 OF CLINTON COUNTY RECORDS; THENCE ON SAID SOUTH LINE THE FOLLOWING FOUR (4) COURSES: (1) 198.27 FEET ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 595.55 FEET, AND A LONG CHORD WHICH BEARS N.68°18'12"E., 197.35 FEET TO A POINT OF TANGENCY; (2) THENCE N.58°46'04"E., 33.49 FEET TO A POINT OF CURVATURE; (3) THENCE 272.62 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 495.55 FEET, AND A LONG CHORD WHICH BEARS N.74°31'41"E., 269.20 FEET TO A POINT OF TANGENCY; (4) THENCE S.89°42'42"E, ON A LINE PARALLEL WITH AND 99.50 FEET SOUTH OF THE EAST & WEST 1/8 LINE OF SAID SECTION, 572.09 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD (BEING 66' WIDE AND ABANDONED BY RESOLUTION RECORDED AS DOCUMENT #5138451 OF CLINTON COUNTY RECORDS); THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE OF ABANDONED DEWITT ROAD THE FOLLOWING THREE (3) COURSES: (1) S.27°13'28"E., 335.08 FEET TO A POINT OF CURVATURE; (2) THENCE 340.76 FEET ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 734.32 FEET, AND A LONG CHORD WHICH BEARS S.13°55'49"E., 337.71 FEET TO A POINT OF TANGENCY; (3) THENCE S.00°38'10"E, 44.89 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF DEWITT ROAD; THENCE CONTINUING S.00°38'10"E., ON SAID WESTERLY RIGHT-OF-WAY LINE, 534.20 FEET; THENCE N.89°43'51"W., PARALLEL WITH THE SOUTH LINE OF SAID SECTION, 646.75 FEET; THENCE S.00°09'58"W., 22.57 FEET TO SAID SOUTH SECTION LINE; THENCE N.89°43'51"W., ON SAID SOUTH SECTION LINE, 632.45 FEET TO THE NORTH 1/4 CORNER OF SECTION 5, T.4 N.-R.2 W.; THENCE CONTINUING N.89°43'51"W., ON SAID SOUTH SECTION LINE, 6.40 FEET TO THE POINT OF BEGINNING; CONTAINING 33.67 ACRES OF LAND AND SUBJECT TO ANY EASEMENTS OF RECORD.

EXHIBIT B

DEPICTION OF TRANSFERRED AREA
EXHIBIT B



RE: New PA425 Interlocal Agreement between DeWitt Charter Township and the City of Lansing
April 2021

Emergent BioSolutions (Emergent) is considering locations for prospective business expansion, and a specific site (visual reference below) in the Lansing region of Michigan is an attractive option. The proposed Public Act 425 Interlocal Conditional Land Use Transfer Agreement (425 Agreement) between DeWitt Charter Township (Township) and the City of Lansing (City) is an important step to enable infrastructure support and financing tools to make any future project assessment feasible and an attractive option to choose the Lansing, Michigan location over out-of-state options.

In terms of geographic scope, the 425 Agreement covers a single land parcel of approximately 34 acres, west of Dewitt Rd and south of Port Lansing Rd, which Emergent currently owns. To the north and west of the proposed new 425 Agreement is property already under an existing 425 Agreement between Township and City as part of the Port Lansing Next Michigan Development Corporation (NMDC), and this proposed 425 Agreement's terms match those of the existing Port Lansing NMDC 425 Agreement.

Earlier this year, the company submitted a preliminary site plan to DeWitt Township for Site Plan Review to determine feasibility of constructing a 180,000 square foot industrial building. Additional details would be provided by Emergent and LEAP if prospective project plans are finalized, and decision made to move forward. The proposed 425 Agreement acts as a foundational and enabling framework only for Emergent to assess future growth opportunities. Emergent would need to return to Lansing City Council for consideration of Brownfield Tax Increment Financing (TIF) Plan (Brownfield Plan) via Public Act 381 (PA381) and an Industrial Facilities Tax Abatement (IFT Abatement) through Public Act 198 (PA198) for a potential project. If a project does not materialize on this site in the coming years for any reason, the 425 Agreement will be nullified, and the property revert fully to DeWitt Township's jurisdiction.



PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 622, Section 622.01, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate drug paraphernalia.

.

Is read a second time by its title. The Ordinance was reported from the Committee on Equity, Diversity and Inclusion, and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	☐	☐
☐ ADOPTED	☐ FAILED	

ORDINANCE NO. 1281

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 622, SECTION 622.01, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE DRUG PARAPHERNALIA.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 622, Section 622.01, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 630, Section 630.12, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate loitering in places where controlled substances or drug paraphernalia is sold, used, etc.

.
Is read a second time by its title. The Ordinance was reported from the Committee on Equity, Diversity and Inclusion, and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	☐	☐
☐ ADOPTED	☐ FAILED	

ORDINANCE NO. 1282

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 630, SECTION 630.12, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE LOITERING IN PLACES WHERE CONTROLLED SUBSTANCES OR DRUG PARAPHERNALIA IS SOLD, USED, ETC.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 630, Section 630.12, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 650, Section 650.05, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate parental responsibility.

.

Is read a second time by its title. The Ordinance was reported from the Committee on Equity, Diversity and Inclusion, and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	☐	☐
☐ ADOPTED	☐ FAILED	

ORDINANCE NO. 1283

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 650, SECTION 650.05, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE PARENTAL RESPONSIBILITY.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 650, Section 650.05, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to repeal Chapter 664, Section 664.02, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate that no person shall disturb, without lawful authority, any public assembly or meeting of persons.

.

Is read a second time by its title. The Ordinance was reported from the Committee on Equity, Diversity and Inclusion, and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	☐	☐
☐ ADOPTED	☐ FAILED	

ORDINANCE NO. [REDACTED]

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL CHAPTER 664, SECTION 664.02, A CRIMINAL MISDEMEANOR UNDER THE GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES TO ELIMINATE THAT NO PERSON SHALL DISTURB, WITHOUT LAWFUL AUTHORITY, ANY PUBLIC ASSEMBLY OR MEETING OF PERSONS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 664, Section 664.02, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby repealed in their entirety and shall be null and void and of no effect.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with these provisions are hereby repealed in its entirety and shall be null and void and of no effect.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance repeal shall take effect on the 30th day after enactment unless given immediate effect by City Council.

Approved as to form:

City Attorney

Date: _____

PASSAGE OF ORDINANCE

An Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Chapter 280 Section 280.03, to provide that the Elected Officer Compensation Commission shall meet in even-numbered years to determine the compensation of elected officers in the manner provided in Chapter 280.

Is read a second time by its title. The Ordinance was reported from the Committee of the Whole, and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
DUNBAR	☐	☐
BETZ	☐	☐
GARZA	☐	☐
HUSSAIN	☐	☐
JACKSON	☐	☐
SPADAFORE	☐	☐
SPITZLEY	☐	☐
WOOD	☐	☐
	☐	☐
☐ ADOPTED	☐ FAILED	

ORDINANCE NO. 1284

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 280 SECTION 280.03, TO PROVIDE THAT THE ELECTED OFFICER COMPENSATION COMMISSION SHALL MEET IN EVEN-NUMBERED YEARS TO DETERMINE THE COMPENSATION OF ELECTED OFFICERS IN THE MANNER PROVIDED IN CHAPTER 280.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 280 Section 280.03, of the Code of Ordinances of the City of Lansing, Michigan be and is hereby amended to read as follows:

280.03. Meetings; chairperson; compensation.

COMMENCING IN 2022, the Elected Officers Compensation Commission shall meet for not more than fifteen session days in each ~~odd-numbered~~ EVEN-NUMBERED year and shall make its determination within forty-five calendar days after its first meeting.

Council shall designate, by resolution, the date, time and location for the first meeting, thereby officially calling the Commission together for the carrying out of its official

duties. ~~Commencing in 1981, the Commission shall meet prior to March 1.~~ THE FIRST

MEETING IN EVEN-NUMBERED YEARS SHALL NOT BE SET LATER THAN

FEBRUARY 21. The City Clerk shall notify the members of the Commission in writing

concerning the designated date, time and location, at least seven calendar days in

advance. A majority of the members of the Commission constitutes a quorum for

conducting the business of the Commission. The Commission shall not take action or

make a determination without the concurrence of a majority of the members appointed

and serving on the Commission. The Commission shall elect a Chairperson from among its members. As used in this section, “session days” means calendar days on which the Commission meets and a quorum is present. The members of the Commission shall not receive compensation but shall be entitled to actual and necessary expenses incurred in the performance of official duties.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council and shall expire December 31, 2029.

RESOLUTION 2021-102

**BY THE COMMITTEE ON WAYS & MEANS
OF THE CITY OF LANSING**

WHEREAS, the Mayor has made the appointment of Terri Taylor as a Citizen member of the Police & Fire Retirement Board of Trustees for a term to expire June 30, 2025; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Ways and Means met on May 7, 2021 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Terri Taylor as a Citizen member of the Police & Fire Retirement Board of Trustees for a term to expire June 30, 2025.

RESOLUTION 2021-103

BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Clerk has forwarded an application from Melrose Pyrotechnics Inc. for a City License, which has been routinely processed without objection, and is ready for final action by this Council; and,

WHEREAS, all required signatures have been obtained supporting the application for a fireworks display license;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the application for a City License as follows:

FIREWORKS DISPLAY LICENSE:

Lansing Lugnuts/Melrose Pyrotechnics Inc. for a public display of fireworks in the City of Lansing at Cooley Law School Stadium, 505 E. Michigan Ave. to be held on June 4, 5, 18, 19, July 3, 4, 16, 17, 30, 31, August 13, 14, 27, 28, and September 18 with rain dates of July 2 and September 17.

RESOLUTION 2021-104

**BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, fees for licenses are to be approved by Lansing City Council; and

WHEREAS, the hospitality industry has been among the hardest hit due to the COVID-19 pandemic; and

WHEREAS, the City of Lansing desires to waive the fee for a cabaret license if the entity applies before July 1, 2021 as a result of the COVID-19 pandemic; and

WHEREAS, any entity that has already paid the cabaret license fee in 2021 (for the licensing period beginning May 1, 2021 and ending April 30, 2022), prior to passage of this resolution shall be refunded the full amount; and

WHEREAS, the fee for a cabaret license shall return on July 1, 2021 at \$500.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council approves that the fee for a cabaret license is reduced to \$0, if applied before July 1, 2021, and

NOW, THEREFORE, BE IT FURTHER RESOLVED that on July 1, 2021 the fee for a cabaret license shall return to \$500.

NOW, BE IT FINALLY RESOLVED the Lansing City Council approves that any entity that has paid the fee for a cabaret license for the May 1, 2021 to April 30, 2022 licensing period prior to passage of this resolution shall be refunded the full amount.

RESOLUTION 2021-105

**BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

WHEREAS, the Lansing City Council approved Resolution #2020-213 which allowed the Lansing Police Department (LPD) to accept a Services-Training-Officers-Prosecutors (STOP) grant from the Michigan Department of Health and Human Services (MDHHS) in the amount of \$131,743 total compensation with 25% of that amount being a local match, for the fiscal period beginning October 1, 2020 and ending September 30, 2021; and

WHEREAS, LPD subsequently applied for and was approved an amendment to increase the grant by \$39,390 with 25% (\$9,847) of that amount being in the form of a local match; and

WHEREAS, the amendment makes the additional funds available for 30 months from 04/01/2021 to 09/30/2023; and

WHEREAS, LPD plans to utilize \$32,810 of the additional funds to add a contracted crime analyst to support the case investigations conducted by the current STOP grant detective; and

WHEREAS, the remaining \$6,580 of additional funding will be used to pay for the analyst to attend basic training classes related to the job role.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the additional \$29,542 STOP grant award amount, \$39,390 total compensation, from the MDHHS for the period beginning April 1, 2021 and ending September 30, 2023.

BE IT FINALLY RESOLVED, that the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the awarded grant funds.

RESOLUTION #2021-106

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Approval to Accept Hazard Mitigation Competitive Grants
(Phase 6)

WHEREAS, the City of Lansing has applied through the State of Michigan, Michigan State Police, Emergency Management and Homeland Security Division for Federal Emergency Management Agency (FEMA) Hazard Mitigation Grants (HMGP); and

WHEREAS, FEMA has awarded the following in grant funds to be used over a multi-year period for the City of Lansing to reduce the risk of flooding; and

Phase 6: \$569,232.56

WHEREAS, the required Phase 6 match of \$191,628.30 will be met through the Planning and Neighborhood Development Office using Community Development Block Grant (CDBG) funds from its current and future budget allocated for acquisition; and

WHEREAS, the FEMA HGMP will provide funds for voluntary acquisition for up to 9 properties; and

WHEREAS, the acquisition of these properties and demolition of existing structures is expected to reduce the rates for flood insurance for all rate payers in the City; and

WHEREAS, the acquisition and demolition of existing structures is expected to reduce the risk of harm to life and property for those owners who choose to relocate to flood safe areas and to reduce the need for emergency services in a serious flood event; and

WHEREAS, existing structures will be razed using these grant funds and the resultant vacant parcels may be used for community gardens, urban farming, natural areas, recreation or other purposes as permitted by FEMA; and

WHEREAS, the acquisition of these properties and demolition of existing structures is expected to:

- Reduce the risk of harm to life and property for those owners, who choose to move to flood-safe areas,
- Reduce the rates for flood insurance for all flood insurance rate payers in the City, and
- Reduce the need for emergency services in a serious flood event; and

WHEREAS, the reduction of risk in flood-prone areas is a priority under the City's consolidated strategy and Plan for the use of CDBG funds; and

WHEREAS, the FEMA grant includes potential acquisition of the following properties with grant funds:

Phase 6: 604 S Hayford
 607 S Magnolia
 617 S Foresater
 622 S Hayford
 725 S Hayford
 729 S Hayford
 916 Fayette

Alternates: 816 Beulah
 635 S Forester

WHEREAS, at its May 4, 2021 meeting, the Planning Board reviewed the grant in accordance with Act 33 procedures and vote to recommend approval of the FEMA grants and proposed acquisition of properties.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves the acceptance of the grant and acquisition of the properties for the purpose written above and completing the activities funded through the HMGP.

BE IT FURTHER RESOLVED that the Mayor is authorized to accept the above described award, and that he shall be authorized to sign the grant agreement, establish new and separate expenditure accounts as necessary, acquire the properties, and take other action required to implement the grant.

RESOLUTION 2021-107

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council is committed to ensuring equal opportunity and equal access to county services to all residents of Ingham County, Michigan and other members of the public; and

WHEREAS, the Lansing City Council recognize that people of color have historically been subjected to and continue to be subjected to discrimination based on hair texture and protective hairstyles; and

WHEREAS, the Lansing City Council recognize that a recent study found that Black women face the highest instances of hair discrimination, are more likely to be sent home from the workplace because of their hair, and that 80 percent of Black women felt they needed to switch their hairstyle to align with more conservative standards in order to fit in at work; and

WHEREAS, beginning in California in July 2019, The CROWN Act ("Creating a Respectful and Open Workplace for Natural Hair") has now been adopted in at least seven states and legislation is under consideration in more than twenty other states, as well as in the United States Congress; and

WHEREAS, in Michigan, State Representative Sarah Anthony of Lansing introduced House Bill 4275 in February 2021 to amend Michigan's Elliott Larsen Civil Rights Act ("ELCRA"), MCL 37.2101 et seq., to include the definition of "race" as "inclusive of traits historically associated with race, including . . . hair texture and protective hairstyles . . . "; and

WHEREAS, the Lansing City Council recognize that discrimination based on hair texture and protective hairstyles is a form of racial discrimination and social injustice and inconsistent with the Ingham County Board of Commissioners' dedication to equal opportunity and equal access to county services to all residents of Ingham County, Michigan and other members of the public.

THEREFORE BE IT RESOLVED, that the Lansing City Council hereby supports Representative Sarah Anthony's House Bill 4275 to amend Michigan's Elliott Larsen Civil Rights Act ("ELCRA"). MCL 37.2101 et seq., to include the definition of "race" as inclusive of traits historically associated with race, and to declare that the term "Race" or "race" as used in the revised Equal Opportunity Plan shall be defined as being inclusive of traits historically associated with race, including, but not limited to, hair texture and protective hairstyles. For purposes of this definition, "protective hairstyles" includes, but is not limited to, such hairstyles as braids, locs, and twists.

RESOLUTION 2021-108

BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing (City) is implementing the second five-year phase of its Wet Weather Control Program, which is designed to achieve compliance with the raw sewage discharge abatement requirements of State of Michigan, Dept. of Environment, Great Lakes and Energy Administrative Consent Order (ACO) #ACO-05153, entered December 19, 2019; and

WHEREAS, the ACO encompasses the regulatory requirements of the City's Combined Sewer Overflow (CSO) Control Program and for abatement of sanitary sewer overflows (SSOs); and

WHEREAS, the City's Public Service Department has determined that the Siphon 12 and Trunk Sewer Replacement Project is an additional sanitary sewer capital improvement construction project that must be prioritized as part of this second phase of its Wet Weather Control Program, because it increases wet weather sewage transmission capacity for the tributary service area, including the Colonial Village Neighborhood; thereby, reducing the potential for SSOs and residential basement backups; and

WHEREAS, the City intends to apply for low-interest SRF loan funding to fund construction of the Siphon 12 and Trunk Sewer Replacement Project; and

WHEREAS, as a requirement of the SRF Loan Program, the City must submit to the State of Michigan, Dept. of Environment, Great Lakes and Energy, an approvable Project Plan Amendment describing the proposed sewer system improvement, environmental program project for the purpose of establishing its loan eligibility; and

WHEREAS, the estimated total project cost of the Siphon 12 and Trunk Sewer Replacement Project is \$8.0 Million; and

WHEREAS; the estimated additional monthly cost to a typical residential user for the associated SRF loan is \$0.88; and

WHEREAS, a public comment period for the draft Project Plan Amendment was available from April 7, 2021, through May 10, 2021, the City of Lansing Department of Public Service held a hearing via ZOOM on May 10, 2021 to receive public comment on the draft Project Plan Amendment; and

WHEREAS, all public comments received during the public comment period, including written comments, were considered in the development of the final Project Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council formally adopts said Project Plan Amendment and agrees to implement the selected alternative, the Siphon 12 and Trunk Sewer Replacement Project.

BE IT FURTHER RESOLVED, that the City of Lansing Public Service Director, a position currently held by Andrew K. Kilpatrick, P.E., is designated as the authorized representative for all activities associated with the Siphon 12 and Trunk Sewer Replacement Project, including the submittal of said Project Plan Amendment as the first step in applying to the State of Michigan for a revolving fund loan to assist in the implementation of this project.

RESOLUTION 2021-109

BY THE COMMITTEE ON CITY OPERATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Muhammad Salman Rais sought to eliminate a special assessment of \$2,481.00 for trash removal fees, associated penalties and interest, on the property tax bill for 2009 S. Pennsylvania (ID #33-01-01-27-130-021); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on May 5, 2021 and denied the claim in the amount of \$2,481.00.

THEREFORE, BE IT RESOLVED, the City Council, hereby, denies the claim in the amount of \$2,481.00 for trash removal fees, associated penalties and interest on the property tax bill for 2009 S. Pennsylvania (Tax ID #33-01-01-27-130-021).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.



Chris Swope
Lansing City Clerk

May 5, 2021

President and Council Members
10th Floor City Hall
Lansing, MI 48933

Dear President and Council Members:

My office has received and placed on file this document:

[Capital Area District Library 2020 Annual Report](#)

This document is available for review at the office of the City Clerk or at <http://www.lansingmi.gov/clerk> under the heading of Documents Placed on File.

Sincerely,

Chris Swope, MMC/MiPMC
Lansing City Clerk



Chris Swope
Lansing City Clerk

May 5, 2021

President and Council Members
10th Floor City Hall
Lansing, MI 48933

Dear President and Council Members:

My office has received and placed on file this document from the Finance Director:

General Fund Status Report - FY 2021 2nd Quarter

This document is available for review at the office of the City Clerk or at <http://www.lansingmi.gov/clerk> under the heading of Documents Placed on File.

Sincerely,

Chris Swope, MMC/MiPMC
Lansing City Clerk

Vacancy Factor Report

Fiscal Year 2021

March 31, 2021

<u>Department</u>	<u>Key</u>	<u>PCN</u>	<u>Position Description</u>	<u>Bargaining Unit</u>	<u>FTE</u>	<u>FY 2022*</u>	<u>Vacancy</u>	<u>Vacancy Factor</u>
<u>Vacancies Counted toward General Fund Vacancy Factor</u>								
COUNCIL/INTERNAL AUDIT	1012120	LEGISAUD	LEGISLATIVE AUDITOR	COUNCIL	1.00		2/20/2020	CONTRACT
NEIGH CTZN ENG	1012250	NRESCORD	NEIGHBORHOOD RESOURCE COORDINT	T214 SUPV	1.00		1/1/2021	14,052
MAYOR	1012300	PTMYRSTF	PT MAYORAL STAFF ASSISTANT	PT MAYOR	1.00	VF	6/30/2020	41,458
HR AND CS	1012500	CSUP-TBD	CONTRACT SUPERVISOR	T243SUP	1.00		CONVERTED	29,769
HR AND CS	1012500	COMMINTV	COMMISSION INVESTIGATOR	T214 SUPV	1.00		6/22/2020	43,716
ED&P/CODE COMPLIANCE	1012610	CCOFICER	CODE ENFORCEMENT WORKER	T243CTP	1.00	VF	4/3/2020	OVERTIME
ED&P/PLANNING	1012620	ASTPLMGR	ASSISTANT PLANNING MANAGER	T214 SUPV	1.00	VF	3/20/2020	CONTRACT
FINANCE/OPERATIONS	1012710	BUDGETAN	BUDGET ANALYST	T243CTP	1.00		CONVERTED	35,948
FINANCE/OPERATIONS	1012710	SRBUYERO	BUYER 32	T243CTP	1.00		11/30/2020	CONTRACT
ASSESSOR	1012720	RESAPPLD	RESIDENTIAL APPRAISER LEAD	T243CTP	1.00	VF	10/18/2019	50,521
ASSESSOR	1012720	RESAPPTR	RESIDENTIAL APPRAISER APPRENTICE	T243CTP	1.00		5/24/2019	41,458
ASSESSOR	1012720	RESIDAPP	RESIDENTIAL APPRAISER	T243CTP	1.00		10/5/2017	CONTRACT
TREASURY	1012730	CUSTSREP	CUSTOMER SERVICE REP	T243CTP	1.00		2/19/2021	4,670
TREASURY	1012730	PTCUSTRP	PT CUSTOMER SERVICE REP	T243PT	1.00		2/22/2020	27,095
HUMAN RESOURCES	1012800	PAYRTECH	PAYROLL TECHNICIAN	T243CTP	0.80		2/19/2021	6,695
HUMAN RESOURCES	1012800	PRNCRECR	PRINCIPAL RECRUITER	T243CTP	1.00		4/18/2017	CONTRACT
CITY ATTORNEY	1012900	LGLADVSR	LEGAL ADVISOR	T214 NS	1.00	VF	4/6/2018	50,662
PUBLIC SERVICE/BUILDINGS	1013140	BLDSERSU	BUILDING SERVICES SUPERVISOR	T243CTP	1.00	VF	10/16/2020	33,578
PUBLIC SERVICE/BUILDINGS	1013140	ELCTRICN	ELECTRICIAN	T243SUP	1.00	VF	12/30/2018	41,458
PUBLIC SERVICE/BUILDINGS	1013140	ELECFACW	ELECTRICAL FACILITY CTRL WKR	T243SUP	1.00	VF	11/2/2018	34,465
PUBLIC SERVICE/BUILDINGS	1013140	FACMTWKR	SKILLED TRADES WORKER	UAW	1.00	VF	3/2/2015	34,465
PUBLIC SERVICE/BUILDINGS	1013140	PLUMBSUP	PLUMBING SUPERVISOR	UAW	1.00	VF	6/10/2018	55,774
PUBLIC SERVICE/BUILDINGS	1013140	PUBWKSUP	PUBLIC SERVICE SUPERVISOR	T243SUP	1.00	VF	7/1/2017	43,590
POLICE/ADMIN	1013201	ADMSPC31	ADMINISTRATIVE SPECIALIST 31	T243SUP	1.00		12/28/2011	CONTRACT
POLICE/CENTRAL SERVICES	1013221	CNTRCOR	CENTRAL RECORDS COORDINATOR	T243SUP	1.00		3/19/2021	1,868
POLICE/CENTRAL SERVICES	1013221	POLCADET	POLICE CADET	FOP NON REP	1.00		12/11/2020	6,814
POLICE/CENTRAL SERVICES	1013221	POLTEC31	LPD FOIA ANALYST	T243CTP	1.00		10/29/2020	CONTRACT
POLICE/RADIO LAB	1013222	RADTEC34	RADIO TECHNICIAN 34	T243CTP	1.00		10/11/2019	CONTRACT
POLICE/DETENTION	1013224	DETENOFF	DETENTION OFFICER	T243CTP	1.00		12/5/2020	CONTRACT
POLICE/INVESTIGATIONS	1013224	DETECT2B	DETECTIVE IIB	FOP NS	1.00		7/1/2017	57,608
POLICE/INVESTIGATIONS	1013224	POLOFFCR	POLICE OFFICER 1	FOP NS	1.00		1/6/2021	11,462
POLICE/PATROL	1013251	POLOFFCR	POLICE OFFICER 1	FOP NS	1.00		7/1/2020	37,253
POLICE/PATROL	1013251	POLOFFCR	POLICE OFFICER 1	FOP NS	1.00		7/1/2020	37,253
POLICE/PATROL	1013251	POLOFFCR	POLICE OFFICER 1	FOP NS	1.00		12/19/2020	13,946
POLICE/PATROL	1013251	POLOFFCR	POLICE OFFICER 1	FOP NS	1.00		1/2/2021	12,036
POLICE/PATROL	1013251	POLOFFCR	POLICE OFFICER 1	FOP NS	1.00		2/13/2021	6,304
POLICE/PATROL	1013251	POLOFFCR	POLICE OFFICER 1	FOP NS	1.00		2/16/2021	5,922
POLICE/PATROL	1013251	SERGEANT3	SERGEANT III	FOP SUPV	1.00		3/13/2021	3,926
FIRE/ADMIN	1013501	ASTFIRCF	ASSISTANT FIRE CHIEF	NB SUPV	1.00		1/15/2021	RETRO FY20
FIRE/ADMIN	1013501	FIRCHIEF	FIRE CHIEF	EXEC	1.00		9/4/2020	CONTRACT
FIRE/ADMIN	1013501	PTCLRK25	PT CLERK 25	T243PT	1.00	VF	7/1/2019	RETRO FY20
FIRE/OPERATIONS	1013520	CAPTAIN4	CAPTAIN IV	IAFF	1.00	VF	9/30/2020	RETRO FY20
FIRE/OPERATIONS	1013520	FIRENG02	ENGINEER II	IAFF	1.00		1/16/2021	RETRO FY20
FIRE/OPERATIONS	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00		1/22/2020	RETRO FY20
FIRE/OPERATIONS	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00		2/15/2020	RETRO FY20
FIRE/OPERATIONS	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00		6/6/2020	RETRO FY20
FIRE/OPERATIONS	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00		6/6/2020	RETRO FY20
FIRE/OPERATIONS	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00		7/18/2020	RETRO FY20
FIRE/OPERATIONS	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00		9/28/2020	RETRO FY20
FIRE/OPERATIONS	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00		10/29/2020	RETRO FY20
FIRE/OPERATIONS	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00		12/16/2020	RETRO FY20
FIRE/OPERATIONS	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00	VF	12/22/2020	RETRO FY20
FIRE/OPERATIONS	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00	VF	2/8/2021	RETRO FY20
FIRE/OPERATIONS	1013520	FIRFIGTR	FIREFIGHTER	IAFF	1.00	VF	3/1/2021	RETRO FY20
FIRE/PREVENTION	1013520	INSPECT4	INSPECTOR IV	IAFF	1.00		2/15/2020	RETRO FY20
FIRE/PREVENTION	1013530	INSPECT4	INSPECTOR IV	IAFF	1.00		5/14/2020	RETRO FY20
FIRE/PREVENTION	1013530	SECRTY26	SECRETARY 26	T243CTP	1.00	VF	7/1/2019	RETRO FY20
FIRE/EMERGENCY SERVICES	1013580	ERGMGTSP	HAZARD MITIGATION SPECIALIST	T243CTP	1.00		2/5/2021	RETRO FY20
					58.80	17.00		783,765

*VF indicates the position is budgeted as vacant for the FY 2022 executive budget recommendation.

Vacancy Factor Report

Fiscal Year 2021

March 31, 2021

<u>Department</u>	<u>Key</u>	<u>PCN</u>	<u>Position Description</u>	<u>Bargaining Unit</u>	<u>FTE</u>	<u>FY 2022*</u>	<u>Vacancy</u>	<u>Vacancy Factor</u>
<u>Non-Vacancy Factor (non-General Fund) Vacancies</u>								
PUBLIC SERVICE/O&M	1013611	CEMATWK2	CEMETERY MAINTANCE WORKER 200	UAW	1.00	VF	5/31/2019	26,781
PUBLIC SERVICE/O&M	1013611	EQPOPWK5	EQUIPMENT OPERATOR WORKER 500	UAW	1.00	VF	10/24/2020	19,870
PUBLIC SERVICE/O&M	1013611	FRSTWKR5	ARBORIST 500	UAW	1.00		7/31/2020	30,596
PUBLIC SERVICE/O&M	1013611	FRSTWKR6	ARBORIST 600	UAW	1.00		8/13/2020	31,376
PUBLIC SERVICE/O&M	1013611	FRSTWKR6	ARBORIST 600	UAW	1.00		9/29/2020	25,101
PUBLIC SERVICE/O&M	1013611	MANTWKR4	MAINTENANCE WORKER 400	UAW	1.00		3/30/2019	31,721
PUBLIC SERVICE/O&M	1013611	MANTWKR4	MAINTENANCE WORKER 400	UAW	1.00		1/1/2020	31,721
PUBLIC SERVICE/O&M	1013611	MANTWKR4	MAINTENANCE WORKER 400	UAW	1.00	VF	2/1/2020	31,721
PUBLIC SERVICE/O&M	1013611	MANTWKR4	MAINTENANCE WORKER 400	UAW	1.00	VF	2/29/2020	31,721
PUBLIC SERVICE/O&M	1013611	MANTWKR5	MAINTENANCE WORKER 400	UAW	1.00	VF	4/25/2020	31,721
PUBLIC SERVICE/O&M	1013611	PUBWKSUP	PUBLIC SERVICE SUPERVISOR	T243SUP	1.00	VF	11/22/2019	43,590
PUBLIC SERVICE/O&M	1013611	PUBWKSUP	PUBLIC SERVICE SUPERVISOR	T243SUP	1.00	VF	8/15/2020	36,251
PUBLIC SERVICE/O&M	1013611	SNMATWKR	SIGN MAINTENANCE WORKER 400	UAW	1.00	VF	3/26/2021	647
PUBLIC SERVICE/O&M	1013611	SOLWASUP	SOLID WASTE SUPERVISOR	T243SUP	1.00		8/15/2020	38,051
ED&P/BUILDING SAFETY	2492610	BLDINSUP	BUILDING INSPECTOR SUPERVISOR	T214 SUPV	1.00		11/16/2019	50,662
ED&P/PARKING	5853641	ACCTGCLK	ACCOUNTING CLERK	T243CTP	1.00	VF	1/22/2018	35,954
ED&P/PARKING	5853641	ACCTGCLK	ACCOUNTING CLERK	T243CTP	1.00	VF	5/18/2019	35,954
ED&P/PARKING	5853642	LDPKTECH	LEAD PARKING TECHNICIAN	UAW	1.00	VF	1/3/2020	31,721
ED&P/PARKING	5853642	PKGRVCOL	PARKING REVENUE COLLECTORS	UAW	1.00	VF	9/14/2019	24,429
ED&P/PARKING	5853642	PKGRVCOL	PARKING REVENUE COLLECTORS	UAW	1.00	VF	1/24/2020	24,429
PUBLIC SERVICE/WWTP	5903670	ASPLSUPT	ASSIST PLANT SUPERINTENDENT	NB SUPV	1.00		7/31/2020	53,341
PUBLIC SERVICE/WWTP	5903670	ELECTECH	ELECTRICAL TECHNICIAN	T243CTP	1.00	VF	10/5/2006	43,590
PUBLIC SERVICE/WWTP	5903670	PLNTSUPT	PLANT SUPERINTENDENT	NB SUPV	1.00		8/14/2020	61,297
PUBLIC SERVICE/WWTP	5903670	TECH-TBD	LAB/IPP TECHNICIAN	T243CTP	0.50	VF	7/1/2017	18,847
PUBLIC SERVICE/WWTP	5903670	SUP-TBD	LAB/IPP SUPERVISOR	T243SUP	0.50		7/1/2015	20,729
PUBLIC SERVICE/WWTP	5903670	UTLELWKR	UTILITY ELECTRICAL WORKER	UAW	1.00		5/31/2013	37,695
PUBLIC SERVICE/WWTP	5903670	WWMATWK6	WASTEWATER MAINTENANCE WKR 600	UAW	1.00		5/27/2020	37,271
PUBLIC SERVICE/WWTP	5903670	WWPLTLBR	WASTE WATER PLANT LABORER	UAW	1.00		7/12/2019	28,992
PUBLIC SERVICE/WWTP	5903670	WWRESHAN	RESIDUAL HANDLER	UAW	1.00		12/18/2020	13,012
PUBLIC SERVICE/WWTP	5903670	WWSYSANL	WASTEWATER SYSTEMS ANALYST	T243CTP	1.00		10/23/2015	45,754
PUBLIC SERVICE/WWTP	5903679	TECH-TBD	LAB/IPP TECHNICIAN	T243SUP	0.50	VF	7/1/2017	18,847
PUBLIC SERVICE/WWTP	5903679	SUP-TBD	LAB/IPP SUPERVISOR	T243SUP	0.50		7/1/2015	20,729
INFO TECH	6303130	DATANLST	DATA ANALYST	T243CTP	1.00		2/16/2018	CONTRACT
INFO TECH	6303130	GISADMIN	GIS TECHNICIAN	T243SUP	1.00		8/9/2014	CONTRACT
INFO TECH	6303130	HLPDSKTN	HELP DESK TECHNICIAN	T243CTP	1.00		11/2/2018	CONTRACT
INFO TECH	6303130	HLPDSKTN	HELP DESK TECHNICIAN	T243CTP	1.00		2/29/2020	CONTRACT
PUBLIC SERVICE/FLEET	6433623	ATGARSUP	ASSIST SHIFT GARAGE SUPERVISOR	T243SUP	1.00		7/1/2017	41,458
PUBLIC SERVICE/FLEET	6433623	ATGARSUP	ASSIST SHIFT GARAGE SUPERVISOR	T243SUP	1.00	VF	7/12/2019	41,458
PUBLIC SERVICE/FLEET	6433623	MECHANIC	MECHANIC	UAW	1.00	VF	3/29/2019	34,465
PUBLIC SERVICE/FLEET	6433623	MECHANIC	MECHANIC	UAW	1.00	VF	5/13/2019	34,465
PUBLIC SERVICE/FLEET	6433623	MECHANIC	MECHANIC	UAW	1.00	VF	8/17/2019	34,465
PUBLIC SERVICE/FLEET	6433623	SRVCSPEC	SERVICE SPECIALIST	T243CTP	1.00	VF	9/20/2019	32,693
PUBLIC SERVICE/FLEET	6433623	VEHWKR04	VEHICLE MAINTENANCE WORKER 400	UAW	1.00		11/1/2020	17,479
PUBLIC SERVICE/ENGINEERING	6453603	BPTMANGR	BUSINESS PERMITS TECH MANAGER	T243SUP	1.00		11/22/2004	CONTRACT
PUBLIC SERVICE/ENGINEERING	6453603	CTYENGNR	CITY ENGINEER	T243SUP	1.00		8/16/2019	67,957
PUBLIC SERVICE/ENGINEERING	6453603	DPPBSDIR	DEPUTY PUBLIC SERVICE DIRECTOR	NB SUPV	1.00		7/1/2017	80,877
PUBLIC SERVICE/ENGINEERING	6453603	ENGINR38	ENGINEER 38	T214 NS	1.00	VF	6/6/2019	53,234
PUBLIC SERVICE/ENGINEERING	6453603	ENGTEC34	ENGINEERING TECHNICIAN SUPV	T243SUP	1.00		6/13/2020	43,590
PUBLIC SERVICE/ENGINEERING	6453603	PLMINSPC	PLUMBING INSPECTOR	T243CTP	1.00	VF	10/1/2018	41,458
PUBLIC SERVICE/ENGINEERING	6453603	TRANSENG	TRANSPORTATION ENGINEER	NB SUPV	1.00	VF	1/1/2020	76,989
HUMAN RESOURCES	6503911	PAYRTECH	PAYROLL TECHNICIAN	T243CTP	0.30		2/19/2021	2,600
DISTRICT COURT	7602201	COLOFFCR	COLLECTIONS OFFICER	DCT NON REPR	1.00		3/18/2021	1,188
DISTRICT COURT	7602201	DPCLERK2	DEPUTY CLERK 2	T243 DCT	1.00		10/2/2020	15,325
DISTRICT COURT	7602201	DPCLERK2	DEPUTY CLERK 2	T243 DCT	1.00		3/3/2021	2,495
DISTRICT COURT	7602201	MAGISCLK	MAGISTRATE'S CLERK	DCT NON REPR	1.00		7/12/2019	24,476
DISTRICT COURT	7602201	PTCOLOFC	PT COLLECTIONS OFFICER	T243 DCT	1.00		4/14/2014	CONTRACT
					<u>53.30</u>	<u>23.00</u>		<u>1,660,795</u>

BY THE COMMITTEE ON _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Enforcement Division of the Michigan Liquor Control Commission received a request from Salt Brewing Company, LLC for a new micro brewer, small wine maker, small distiller, beer and wine tasting, on-premises tasting room, Sunday sales (AM), Sunday sales (PM), dance, entertainment, and outdoor service permits.

WHEREAS, the COMMITTEE ON _____ met on _____ to review the request with affirmative action taken;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the request from Salt Brewing Company, LLC for new micro brewer, small wine maker, small distiller, beer and wine tasting, on-premises tasting room, Sunday sales (AM), Sunday sales (PM), dance, entertainment, and outdoor service permits;

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission of the action taken.



12-9-20

To Whom it may concern:

The Session of First Presbyterian Church Lansing located at 510 W. Ottawa St, Lansing MI 48933 has approved allowing a liquor license to be granted to Salt Brewing which will be located directly north of the church on Ionia St.

Sincerely,

Bill Collins
Clerk of Session

NOTARY USE ONLY

*Salt Brewing Co -
Kelly*

Subscribed and sworn to before me by _____ on this
day (MM/DD/YYYY) _____, acting in the County of _____,
Michigan.

Signature of Notary _____

Printed Name of Notary _____

County of Notary Commission _____

Commission Expiration Date _____

OFFICIAL USE ONLY

Approvals:

Police Department _____

Date _____

Desiree A. Kurbad

City Treasurer

5.3.21

Date

OFFICIAL USE

Amount paid: _____

Date paid: _____

License #: _____

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 • 517-377-0068 FAX
www.lansingmi.gov/clerk • city.clerk@lansing.mi.gov



Chris Swope
Lansing City Clerk

REPORT ON APPLICATION FOR:

<u>ACTION</u>	<u>TYPE OF LICENSE</u>
☐ Transfer Ownership	☒ Class C
☐ Transfer Location	☒ SDD
☐ Add Partner	☐ SDM
☐ Drop Partner	☐ Tavern
☐ Other:	☒ Other: Brew Pub Sunday Sales

NAME:

Salt Brewing Company
517 West Ionia Street
Lansing MI 48933

THAT THE REQUEST: By Salt Brewing Company for a new Class C Brew Pub with Sunday Sales at 517 West Ionia Street, Lansing 48933, Ingham County

Location Approval

Building Approval

Signature & Date

Signature & Date

^{06#31}
~~Chief of Police~~ [Signature] #31 3/23/21
Fire Marshal [Signature] 4/21/21
Planning/Zoning [Signature] 3/22/21
Building Comm. [Signature] 3/22/21

[Signature] #31 3/23/21
[Signature] 3/22/21
[Signature] 3/22/21

City Treasurer _____

Date to City Council _____

**PLEASE RETURN THIS FORM TO: Brian Jackson at brian.jackson@lansingmi.gov
or FAX 517-377-0068**

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 § 517-377-0068 FAX
Lansingmi.gov/clerk § city.clerk@lansingmi.gov

BY THE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Enforcement Office Manager has determined that the building located at 2109 Worden Street, Parcel # 33-01-01-35-353-071, legally described as: Lot 61, Supervisor's Plat of Culver-Dale Subdivision, is unsafe and dangerous as defined in Section 108.1 of the Lansing Uniform Housing Code and the applicable laws of the State of Michigan; and

WHEREAS, the building at 2019 Worden Street was red tagged on March 4, 2019 as unsafe to occupy; and

WHEREAS, a hearing was held by the Lansing Demolition Board on December 5, 2019, at which the hearing officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by February 29, 2020 ; and

WHEREAS, the Lansing Uniform Housing Code and the applicable laws of the State of Michigan require that a hearing be conducted to give the property owner an opportunity to show cause as to why the building at 2109 Worden Street should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on _____, to review the findings and the order of the hearing officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause as to why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Enforcement Office has determined that compliance with the order of the Lansing Demolition Board has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner is hereby directed to comply with the order of the Demolition Board to demolish or otherwise make safe the building at 2109 Worden Street within _____ days from the date of this resolution.

BE IT FURTHER RESOLVED that the property owner is hereby notified that this order must be appealed within twenty (20) days pursuant to MCL 125.542 and should the owner fail to comply with the order of the Demolition Board, the Code Enforcement Office Manager is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that following demolition of the building, the site must be seeded or sodded with grass to establish a lawn throughout the property and prevent soil erosion.

BE IT FURTHER RESOLVED that the cost of the demolition shall be reported to the City Assessor.

BE IT FURTHER RESOLVED that the City Assessor shall, by first class mail to the address shown on the most recent City tax assessment records, notify the owner in whose name the property appears on said record, of the cost of the demolition.

BE IT FINALLY RESOLVED that should the owner fail to pay the total amount owed within thirty (30) calendar days after notification by the City Assessor, the City shall place a lien against the property, which shall be filed and the amount due collected in accordance with the applicable provisions of the same laws of the City of Lansing and State of Michigan governing the collection of tax liens.

CITY OF LANSING DEMOLITION HEARING BOARD	ORDER TO MAKE SAFE, DEMOLISH OR MAINTAIN BUILDING OR STRUCTURE	FILE NO. D2019-015
---	---	-----------------------

Matter of the building/structure at 2109 Worden Street which is a ☒ dwelling ☐ garage ☐ other

1. Date of hearing: December 5, 2019 Hearing Officers: DAVE MUYLLE, JOSEPH VITALE
2. Scott Sanford, Code Compliance Lead Housing Inspector of the City of Lansing, has filed a copy of a notice that the subject building/structure is dangerous. The copy of the notice is attached.

THE HEARING OFFICER FINDS THAT:

3. Notice of this hearing was properly served on the
☐ rental registration owner(s)
☒ Owner's or party in interest on City tax assessment record
4. The building/structure ☒ is ☐ is not a dangerous building as defined in MCL 125.539, specifically (see attached)
5. ☒ The building/structure has remained unoccupied for 180 consecutive days or more and is not listed for sale, lease or rent with a licensed real estate broker.
6. ☐ The building/structure has been substantially destroyed by ☒ fire ☐ wind ☐ flood
☐ other:
7. The state equalized value of the building/structure is \$36,300.00
8. The cost to repair the building or structure to make it safe is \$79,000.00
9. The real estate is described as follows:

Parcel Number: 33 01 01 35 353 071

Lot 61 Supervisors Plat of Clover-Dale Sub, City of Lansing

IT IS ORDERED THAT:

10. ☐ The matter is closed.

☒ The building/structure shall be made safe or demolished on or before 2-27-20

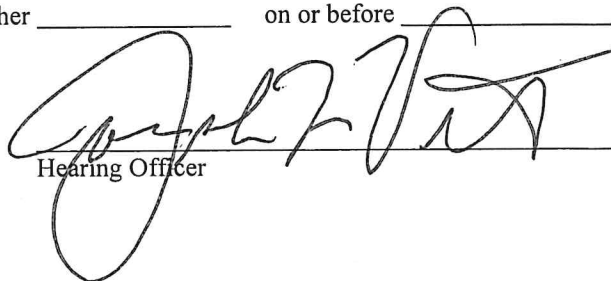
☐ The case be tabled until _____.

☐ The building or structure shall be demolished on or before _____ if not made safe as ordered herein.

☐ (If finding #5 is made) The exterior of the building shall be maintained, including

☐ lawns, trees and shrubs ☐ paint on structure ☐ other _____ on or before _____.

12/4/19
Date


Hearing Officer

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	2109 WORDEN
PARCEL NUMBER:	33-01-01-35-353-071

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	D2019-015

LISTED TAXPAYER:	RADKE DENNIS L-REVOC LIV TRUST
INTERESTED PARTIES:	
SEV INFORMATION:	\$42,300.00
LAND VALUE:	\$7,293.00
BUILDING VALUE:	\$77,232.00
LOT SIZE:	50 X 132

HOUSING CODE VIOLATION LTR:	11/30/2018
ORIGINAL RED TAG DATE:	11/30/2018
ZONING:	"A"
ESTIMATE OF REPAIRS:	\$79,000.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	LOT 61 SUPERVISORS PLAT OF CLOVER-DALE SUB, CITY OF LANSING
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	12/5/2019
ORDER:	MAKE SAFE OR DEMOLISH BY 2/27/2020
REASON/CONDITIONS:	
HEARING OFFICER:	JOSEPH VITALE

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	Required, not yet pulled
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	



























Vito Barone, Mayor

LANSING FIRE DEPARTMENT
FIRE MARSHAL'S OFFICE
Code Enforcement Section

**UNSAFE
DO NOT
ENTER**

In accordance with Chapter 1460 of the Codified Ordinances of Lansing and Section 108.1 of the International Property Maintenance Code (IPMC), this building is deemed condemned **UNSAFE**. It is a misdemeanor to occupy or allow a person or pet to occupy this structure or to deface/remove this notice. The penalties for these violations are a \$500.00 fine and/or 90 days in jail.

Pursuant to section 111.1 of the IPMC, you have the right to appeal this notice of violation. Any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

2107 Worden
Address

11-30-18
12-3-18
Date

Carrell
Code Enforcement Officer

517-483-4361
Phone

Repairs or corrections to this property shall be made only between the hours of 8:00 a.m. to 5:00 p.m. Monday-Friday unless written authorization is given by the Office of Code Enforcement.

11/30/2018

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Code Enforcement Division has declared the building at 2109 Worden Street, Parcel # 33-01-01-35-353-071, legally described as: Lot 61, Supervisor's Plat of Culver-Dale Subdivision, to be unsafe and dangerous as defined in Section 108.1 of the Lansing Housing Code and the applicable laws of the State of Michigan and thus, ordered the building to be red tagged on March 4, 2019 as unsafe to occupy; and

WHEREAS, the Lansing Demolition Board, at a special meeting held on December 5, 2019, declared the building to be unsafe and dangerous as defined in the Lansing Housing Code (1460.09) and the applicable laws of the State of Michigan (MCLA 125.539) and ordered the property to be made safe or demolished by March 1, 2021; and

WHEREAS, the Code Enforcement Division has determined that compliance with the order of the demolition hearing board officer has not occurred; and

WHEREAS, the Lansing Housing Code and the applicable laws of the State of Michigan require that the City hold a hearing to give the property owner an opportunity to show cause as to why the building should not be demolished or otherwise made safe;

NOW THEREFORE, BE IT RESOLVED that a show cause hearing will be held during the City Council meeting on Monday, <<FutureHearingDate>> at 7:00 p.m. in consideration of issuing an order requiring the building at 1412 W. Ionia Street to be made safe or demolished within a specific period of time.

BE IT FURTHER RESOLVED that the meeting will be conducted remotely via Zoom Conferencing and can be accessed using the following link <https://us02web.zoom.us/j/85940036219> or by calling (312) 626-6799 and entering Meeting ID: 859 4003 6219.

BE IT FINALLY RESOLVED that the Lansing City Council directs the Code Enforcement Division to notify the owner of 2109 Worden Street of the opportunity to appear and present testimony at the hearing.

BY THE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Enforcement Office Manager has determined that the building located at 1412 W. Ionia Street, Parcel # 33-01-01-17-252-071, legally described as: Lot 12, Block 2, Holmes Plat Addition, is unsafe and dangerous as defined in Section 108.1 of the Lansing Uniform Housing Code and the applicable laws of the State of Michigan; and

WHEREAS, the building at 1412 W. Ionia Street was red tagged on March 4, 2019 as unsafe to occupy; and

WHEREAS, a hearing was held by the Lansing Demolition Board on January 28, 2021, at which the hearing officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by March 1, 2021 ; and

WHEREAS, the Lansing Uniform Housing Code and the applicable laws of the State of Michigan require that a hearing be conducted to give the property owner an opportunity to show cause as to why the building at 1412 W. Ionia Street should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on _____, to review the findings and the order of the hearing officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause as to why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Enforcement Office has determined that compliance with the order of the Lansing Demolition Board has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner is hereby directed to comply with the order of the Demolition Board to demolish or otherwise make safe the building at 1412 W. Ionia Street within _____ days from the date of this resolution.

BE IT FURTHER RESOLVED that the property owner is hereby notified that this order must be appealed within twenty (20) days pursuant to MCL 125.542 and should the owner fail to comply with the order of the Demolition Board, the Code Enforcement Office Manager is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that following demolition of the building, the site must be seeded or sodded with grass to establish a lawn throughout the property and prevent soil erosion.

BE IT FURTHER RESOLVED that the cost of the demolition shall be reported to the City Assessor.

BE IT FURTHER RESOLVED that the City Assessor shall, by first class mail to the address shown on the most recent City tax assessment records, notify the owner in whose name the property appears on said record, of the cost of the demolition.

BE IT FINALLY RESOLVED that should the owner fail to pay the total amount owed within thirty (30) calendar days after notification by the City Assessor, the City shall place a lien against the property, which shall be filed and the amount due collected in accordance with the applicable provisions of the same laws of the City of Lansing and State of Michigan governing the collection of tax liens.

CITY OF LANSING DEMOLITION HEARING BOARD	ORDER TO MAKE SAFE, DEMOLISH OR MAINTAIN BUILDING OR STRUCTURE	FILE NO. 2020-D001
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Matter of the building/structure at 1412 W. Ionia which is a ☒ dwelling ☐ garage ☐ other

1. Date of hearing: January 28, 2021 Hearing Officers: DAVE MUYLLE, JOSEPH VITALE
2. Scott Sanford, Code Compliance Manager of the City of Lansing, has filed a copy of a notice that the subject building/structure is dangerous. The copy of the notice is attached.

THE HEARING OFFICER FINDS THAT:

3. Notice of this hearing was properly served on the
☐ rental registration owner(s)
☒ Owner's or party in interest on City tax assessment record
4. The building/structure ☒ is ☐ is not a dangerous building as defined in MCL 125.539, specifically (see attached)
5. ☒ The building/structure has remained unoccupied for 180 consecutive days or more and is not listed for sale, lease or rent with a licensed real estate broker.
6. ☐ The building/structure has been substantially destroyed by ☐ fire ☐ wind ☐ flood
☐ other:
7. The state equalized value of the building/structure is \$24,300.00
8. The cost to repair the building or structure to make it safe is \$124,433.19
9. The real estate is described as follows:

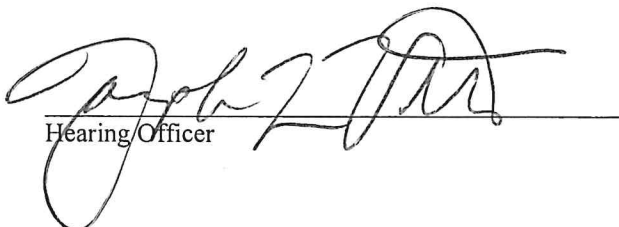
Parcel Number: 33 01 01 17 252 071

Lot 12BLOCK 2 HOLMES PLAT REC L 2 P 41 City of Lansing

IT IS ORDERED THAT:

10. ☐ The matter is closed.
☒ The building/structure shall be made safe or demolished on or before 3/29/2021
☐ The case be tabled until _____.
☐ The building or structure shall be demolished on or before _____ if not made safe as ordered herein.
☐ (If finding #5 is made) The exterior of the building shall be maintained, including
☐ lawns, trees and shrubs ☐ paint on structure ☐ other _____ on or before _____.

1/28/2021
Date


Hearing Officer

**CITY OF LANSING - DEMOLITION BOARD
REPORT FOR CITY COUNCIL
CASE OVERVIEW SHEET**

ADDRESS:	1412 W IONIA
PARCEL NUMBER:	33-01-01-17-252-071

SHOW CAUSE HEARING DATE:	
DEMOLITION CASE FILE #:	2020-D001

LISTED TAXPAYER:	LULL, JESSICA
INTERESTED PARTIES:	SCHULTZ, ERIN RW
SEV INFORMATION:	\$28,200.00
LAND VALUE:	\$12,017.00
BUILDING VALUE:	\$44,287.00
LOT SIZE:	43.750 X 100

HOUSING CODE VIOLATION LTR:	3/04/2019 & 10/22/2019
ORIGINAL RED TAG DATE:	3/4/2019
ZONING:	"C"
ESTIMATE OF REPAIRS:	\$72,000.00
PICTURES:	YES
OTHER:	

LEGAL DESCRIPTION:	LOT 12 BLOCK 2 HOLMES PLAT REC L 2 P 41 CITY OF LANSING
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ORDER OF DEMOLITION BOARD

DEMOLITION BOARD MEETING DATE:	1/28/2020
ORDER:	MAKE SAFE OR DEMOLISH BY 3/29/2021
REASON/CONDITIONS:	
HEARING OFFICER:	JOSEPH VITALE

CURRENT PERMIT ACTIVITY

BUILDING:	Required, not yet pulled
ELECTRICAL:	Required, not yet pulled
MECHANICAL:	ISSUED 2/01/2021 NO ACTIVITY
PLUMBING:	Required, not yet pulled
DEMOLITION:	na

CURRENT CITY COUNCIL ACTIVITY

REQUEST FOR SHOW CAUSE SENT:	
SHOW CAUSE HEARING DATE:	
PUBLIC SAFETY COMMITTEE WILL REVIEW:	



Economic Development & Planning Code Enforcement Office

316 N. Capitol Ave Lansing, MI 48933-1238
(517) 483-4361 FAX (517) 377-0100

Notice Printed: 10/22/2019

Safety Inspection Correction Notice – Re-Inspection Required

SCHULTZ ERIN RW
5612 PLAINS RD
EATON RAPIDS, MI 48827

Inspection Type: Safety
Inspection Date: 10/22/2019
Compliance Due Date: 11/21/2019

Warning: *Failure to comply with the requirements of this notice may result in the issuance of a Municipal Civil Infraction Violation Ticket. (Fines: \$500 per day for each violation)*

Violation Location:	1412 W IONIA ST
Parcel No:	33-01-01-17-252-071

The above referenced address was found to have certain violations of the Lansing Housing and Premises Code, Chapter 107 of the Code of Ordinances. **The violations are listed below and must be corrected by the compliance due date.**

17 October 2019: A safety inspection was conducted at the request & in the presence of Jessica Lull. Her Husband, Steve, & Code Enforcement Officer T Barry were also present for the inspection. The noted housing code violations are to be corrected, trades work permitted/inspected/approved & a complete inspection/approval from the Code Enforcement Office before occupancy can occur. The following housing code violations were noted:

AREA: Basement

Sec 704.2 Lack of a battery operated smoke detector in the basement area.

Sec 307.1 Missing a continuous graspable handrail at one side of the basement stairs.

Sec 307.1 Missing a guardrail at the open side of the basement stairs.

Sec 305.4 Unsecure stair assembly/unsecure treads at the basement stair assembly.

Sec 308.1 Accumulation of debris throughout the basement.

Sec 101.2 Storage of gas cans & gas operated tools in the basement.

Sec 102.3 & Sec 603.1 The A/C, Furnace & the Electric Water Heater have been recently installed. This work requires a mechanical permit, a licensed mechanical contractor to conduct the work, & final inspection/approval from the City of Lansing Building Safety Office.

Sec 102.3 & Sec 504.1 A section of PVC soil waste pipe has been recently installed. This work may require a plumbing permit, a licensed plumbing contractor to conduct the work, & final inspection/approval from the City of Lansing Building Safety Office.

Sec 605.3 Missing a light fixture in the basement stairwell.

Sec 102.3 & Sec 605.1 The electrical system has been altered throughout the basement to the rest of the house. This work requires an electrical permit, a licensed electrical contractor to conduct the work, & final inspection/approval from the City of Lansing Building Safety Office.

AREA: Exterior

Sec 108.1.3 Lack of required utilities to the dwelling. The gas service is turned off. The dwelling lacks sanitary / heating facilities.

Sec 102.3 & Sec 304.10 The front porch & the front porch stair assembly has been altered/replaced without the benefit of a building permit, a licensed building contractor to conduct the work, & final inspection/approval from the City of Lansing Building Safety Office.

Sec 102.3 & Sec 304.10 Deteriorated rear concrete porch. Missing guardrails, stairs & handrails. Correction may require a building permit, a licensed building contractor to conduct the work, & final inspection/approval from the City of Lansing Building Safety Office.

Section 304.13 Gaps around some basement windows.

Section 304.6 Deteriorated/improperly installed/missing vinyl siding at the exterior of the dwelling.

Section 304.2 Missing paint/exposed wood at areas on the exterior envelope of the dwelling unit.

Sec 603.1 Improperly installed clothes dryer vent hood at the West side of the dwelling.

Sec 304.2 Some deteriorated soffit & fascia at the South & West sides of the dwelling.

Sec 102.3 & Sec 605.1 Electrical service was noted as hazardous by BWL & the Chief Electrical Inspector, Brian Carter. Correction was to be done with an electrical permit, a licensed electrical contractor to conduct the work, & final inspection/approval from the City of Lansing Building Safety Office.

--Wiring under the front porch as well.

AREA: First Floor

Sec 704.2 Lack of a battery operated smoke detector for the first floor.

Sec 102.5 & Sec 304.15 Poor craftsmanship for the installation of the rear door (Egress is currently block).

Sec 102.3 & Sec 504.1 The plumbing has been altered for the kitchen sink. This work requires a plumbing permit, a licensed plumbing contractor to conduct the work, & final inspection/approval from the City of Lansing Building Safety Office.

Sec 504.1 Damaged toilet tank lid.

Sec 305.3 Incomplete floor covering.

AREA: Second Floor

Sec 704.2 Lack of a battery operated smoke detector in the second floor hallway.

Sec 704.2 Lack of a battery operated smoke detector for the second floor bedrooms.

SEC 305.3 Missing/damaged drywall at areas of the second floor.

Sec 605.3 Missing globes at light fixtures.

Sec 102.3 & Sec 605.1 Newer wiring fixtures, boxes, conduit has been installed. This work requires an electrical permit, a licensed electrical contractor to conduct the work, & final inspection/approval from the City of Lansing Building Safety Office.

*****Bathroom fixtures removed but unable to see the actual room due to storage.*****

You must contact the under signed, no later than seven days before the compliance due date, to set up an appointment to meet at the structure (to verify that all corrections have been completed) or to acquire an authorized extension. Before the re-inspection you must obtain all required permits and have those repairs inspected and approved by the appropriate inspector. All violations must be corrected with approved materials and methods.

Pursuant to Section 107.2 of the IPMC, you have the right to appeal this notice of violation. In accordance with Section 106.3 any action taken by the City on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

If you have any questions or concerns about complying within the time indicated, you may contact at (517) 483 7620 Monday through Friday between the hours of **8-9** - AM or **12-1** - PM.

Officer: Greg Scrimger greg.scrimger@lansingmi.gov

This does not guarantee discovery or reporting of all code violations or property defects, manifest or latent, which exist at the property inspected. The City of Lansing, its officers and employees, shall not be liable for any injury or damage, including incidental or consequential damages, claimed to be a result of any failure to discover or report code violations or property defects.

As specified by section 107 – Notices and Orders - a copy of this violation was sent to:

Registered Rental Owner: LULL JESSICA,





























BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Code Enforcement Division has declared the building at 1412 W. Ionia Street, Parcel # 33-01-01-17-252-071, legally described as: Lot 12, Block 2, Holmes Plat Addition, to be unsafe and dangerous as defined in Section 108.1 of the Lansing Housing Code and the applicable laws of the State of Michigan and thus, ordered the building to be red tagged on March 4, 2019 as unsafe to occupy; and

WHEREAS, the Lansing Demolition Board, at a special meeting held on January 28, 2021, declared the building to be unsafe and dangerous as defined in the Lansing Housing Code (1460.09) and the applicable laws of the State of Michigan (MCLA 125.539) and ordered the property to be made safe or demolished by March 1, 2021; and

WHEREAS, the Code Enforcement Division has determined that compliance with the order of the demolition hearing board officer has not occurred; and

WHEREAS, the Lansing Housing Code and the applicable laws of the State of Michigan require that the City hold a hearing to give the property owner an opportunity to show cause as to why the building should not be demolished or otherwise made safe;

NOW THEREFORE, BE IT RESOLVED that a show cause hearing will be held during the City Council meeting on Monday, <<FutureHearingDate>> at 7:00 p.m. in consideration of issuing an order requiring the building at 1412 W. Ionia Street to be made safe or demolished within a specific period of time.

BE IT FURTHER RESOLVED that the meeting will be conducted remotely via Zoom Conferencing and can be accessed using the following link <https://us02web.zoom.us/j/85940036219> or by calling (312) 626-6799 and entering Meeting ID: 859 4003 6219.

BE IT FINALLY RESOLVED that the Lansing City Council directs the Code Enforcement Division to notify the owner of 1412 W. Ionia Street of the opportunity to appear and present testimony at the hearing.



Greg Martin, Fire Chief
Mauricio Barrera, Fire Marshal

CITY OF LANSING
FIRE DEPARTMENT
FIRE MARSHAL OFFICE
120 E. SHIAWASSEE STREET
LANSING MI 48933
(517) 483-4200 | Fax (517) 483-4488



Andy Schor, Mayor

April 26, 2021

Dear Mayor Schor,

The City of Lansing Fire Department Fire Prevention Office has been operating under the International Fire Code 2009, since its adoption in 2011. The most current version of the IFC was released in 2018 and we are prepared to adopt this version to our Fire Prevention Code. The adoption of the International Fire Code (IFC) 2018 will allow the City of Lansing Fire Department Fire Prevention Office to maintain the most up to date codes for the safety of our firefighters, businesses and the public. We are asking for your approval to adopt the IFC 2018.

The amended version of the Fire Prevention Code is attached for your review.

Thank you for your consideration and if you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Mauricio Barrera
Fire Marshal
Office of Fire Prevention
City of Lansing Fire Department

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE
LANSING CODIFIED ORDINANCES BY AMENDING CHAPTER 1610 – UNIFORM FIRE
CODE AND UNIFORM FIRE CODE STANDARDS.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1610 – Uniform Fire Code, Section 1610.01 – Adoption of 2009
International Fire Code, of the Codified Ordinances of the City of Lansing, Michigan, be and is
hereby amended to read as follows:

1610.01. - Adoption of 20182009 International Fire Code and adoption of Chapter 39 of
the 2018 International Fire Code.

(a) For the purpose of establishing the minimum requirements consistent with
nationally recognized good practice for providing a reasonable level of life safety and property
protection from the hazards of fire, explosion, or dangerous conditions in new and existing
buildings, structures, and premises and to provide safety to firefighters and emergency
responders during emergency operations, the City hereby adopts the 20182009 International Fire
Code, including Appendices B, C, D, E, F, G, H, and I, AND N published by the International
Code Council, Inc. with the additions, deletions, and revisions contained in this chapter.
~~Additionally, the City hereby adopts by reference Chapter 39 – Processing and Extraction
Facilities, of the 2018 International Fire Code.~~ A copy of this Code is on file in the Office of the
City Clerk.

(b) References throughout these Codified Ordinances to the International Fire Code
shall be deemed to mean the International Fire Code adopted in subsection (a) and it may be so

1 cited. References throughout these Codified Ordinances to the Fire Prevention Code of the City
2 of Lansing shall be synonymous with this International Fire Code, including its amendments
3 adopted herein.

4 (c) Unless otherwise expressly provided, in the event of a conflict between any of the
5 provisions of the International Fire Code, herein adopted, and a provision of this chapter, or any
6 other provision of these Codified Ordinances, or any other local ordinance, resolution, rule or
7 regulation, the local provision shall control. In the event of a conflict between any of the
8 provisions of the International Fire Code, herein adopted, and State law, including rules and
9 regulations promulgated pursuant to State law, the State law shall control. In the event of a
10 conflict between any of the provisions of the International Fire Code, herein adopted, and a
11 provision of any other standard technical code adopted by reference by the City of Lansing, the
12 stricter or higher standard shall control.

13 (Ord. No. 1171, § 1, 8-8-11; Ord. No. 1177, § 1, 1-30-12; Ord. No. 1243, § 1, 2-11-19)

14 1610.02. - Amendments.

15 The International Fire Code, adopted in Section 1610.01, is hereby amended as follows:

16 *I.F.C. Section 101.1 Title* is hereby amended to insert the City of Lansing as the name of
17 jurisdiction.

18 *I.F.C. Section 102.7 Referenced Codes and Standards* is hereby amended by including the
19 following language:

20 The codes and standards referenced in this code shall be those that are listed in Chapter
21 8047 and such codes and standards shall be considered part of the requirements of this
22 code to the prescribed extent of each such reference. This code and standards referenced

in this code shall be the most recently published edition or version. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

I.F.C Section 103.2 shall be replaced with the following:

The Fire Code Official shall be appointed by the Fire Chief, subject to applicable Federal, State, and local law, including the provisions of any governing collective bargaining agreement.

I.F.C. Section 105.1 General is hereby amended by adding the following language:

The Lansing Fire Department shall have the authority to charge a fee for permits required under the international fire code and for fire inspection services. A fee schedule shall be developed by the Fire Chief, approved by the Mayor and subject to City Council adoption by resolution.

I.F.C. Section 105.2 Application is hereby deleted and a new section added as follows:

All applications for a permit required pursuant to this code shall be made to the Fire Department. Applications shall be accompanied by such plans as are required by the City of Lansing.

The application for a permit required pursuant to this code shall be accompanied by the appropriate fee, which shall be non-refundable. Fees for permits required by this code shall be set by resolution of City Council of the City of Lansing.

I.F.C. Section ~~109~~¹⁰⁸ Board of Appeals is hereby deleted and replaced with the following language:

Appeals

The Board of Appeals for appeals made under the Fire Prevention Code of the City of Lansing shall be the Building Board of Appeals established in Section 113 of the Michigan Building Code adopted in Section 1420.01 of the Codified Ordinances of Lansing. This Board shall determine the suitability of alternative materials and the type of construction and provide reasonable interpretations of the provisions of this code. The Board shall render all decisions and findings in writing to the Fire Chief, with a duplicate copy to the appellant, and may recommend to the executive body such new legislation for engaging in the following activities, operations, practices or functions:

(1) *Fire suppression systems.* To design, install, modify, test, service and maintain any and all fire suppression systems in accordance with any and all codes that apply to this installation.

(2) *Fire alarm systems.* To design, install, modify, test, service and maintain any and all fire alarm systems in accordance with any and all codes that apply to this installation.

(3) *Open burning.* To ignite or burn material of any type on private land or on publicly owned or controlled land, except as provided in this code.

(4) *Fireworks.* To conduct a public display or to use for agricultural or pest control purposes as permitted by State law.

I.F.C. Section 110.4109.3 Violation Penalties is hereby deleted in its entirety.

I.F.C. Section 112.4111.4 Failure to Comply is hereby deleted and a new section 112.4111.4 is added to read as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition shall be subject to the penalties codified in Section 1610.99 of this code.

I.F.C. Section 307 Open Burning is hereby deleted and a new section 307 is added as follows:

Recreational fire

(1) *Permit required.* Recreational fires may be kindled or maintained on lots containing one-family dwellings or two-family dwellings if a permit is granted by the Fire Chief or his or her designee after confirming that the recreational fire will comply with the standards contained in this code.

(2) *Location restricted.* Recreational fires may be kindled or maintained on public property covered by a special event permit granted by the parks and recreation department or on nonresidential private property if a permit is granted by the Fire Chief or his or her designee after confirming that the recreational fire will comply with the standards contained in this code.

(3) *Exceptions.*

(a) *Controlled burning.* When determined by the Fire Chief or his or her designee to be in the public interest, the Chief may issue a permit for controlled burning.

(b) *Outdoor cooking.* Appliances, such as chimneas, gas and charcoal grills may be used in such a manner so they do not endanger the life or property of others. No person shall use any permanent barbecue, portable barbecue, chimnea,

1 outdoor fireplace, grill, or other device for the disposal of rubbish, trash or
2 combustible material.

3 (4) *Attendance.* Recreational fires shall be constantly attended by a competent person
4 until such fire is extinguished. This person shall have a garden hose connected to a water
5 supply and other fire-extinguishing equipment readily available for use. Recreational
6 fires shall be in accordance with the provisions of this code.

7 (5) *Prohibition or discontinuance by Chief.* The Chief or his or her designee may
8 prohibit or terminate any or all recreational fires when atmospheric conditions or local
9 conditions make such fires hazardous, or when the Chief or his or her designee
10 determines such action is necessary to protect public safety.

11 (6) *Illegal burning.* Kindling or maintaining any outdoor burning in violation of this
12 section, failing to comply with the requirements of this section, failing to comply with an
13 order of the Chief or his or her designee as provided in this section or otherwise failing to
14 comply with the requirements of this section shall be illegal.

15 *I.F.C. Section 503 Fire Lanes* is hereby added as follows:

16 (1) *Authority.* The Fire Department may establish fire lanes on both public and private
17 property within the City. The following criteria shall be used in determining the necessity
18 of fire lanes:

19 (a) Fire lanes shall be established as deemed necessary.

20 (b) The necessity of access from public thoroughfares shall be considered when
21 establishing fire lanes.

1 (c) The necessity of traffic lanes that are free from parked vehicles, both to and around
2 affected establishments, and that are capable of handling City fire vehicles, shall also be
3 considered.

4 This determination shall be made whenever the Fire Department deems that such lanes
5 are necessary for the safety of occupants and property of such establishments or when,
6 after being petitioned by a private land owner to have fire lanes established on his or her
7 property, the Fire Department declares fire lanes necessary thereon in accordance with
8 the above criteria. The Fire Chief or his or her designee shall notify the land owner of any
9 such property whereon fire lanes are established, by mailing notice of the same to the
10 address of the owner as identified in the records of the City Assessor.

11 (2) *Records.* The Fire Department shall keep an accurate up to date record of all fire
12 lanes established within the City.

13 (3) *Signs.* All fire lanes shall be conspicuously posted with uniform fire lane signs
14 prescribed by the Fire Chief or his or her designee and erected not more than 100 feet
15 apart in all areas designated as fire lanes. The erection and maintenance of such signs
16 shall be the responsibility of the property owner. Any owner who, upon notification that a
17 fire lane has been established on his or her property and within thirty days thereof, fails to
18 erect uniform fire lane signs, shall be in violation of this section and subject to the
19 penalty provided in Section 1610.99 of the Codified Ordinances of the City. Further,
20 when such signs are not erected within 30 days of notification, Council may direct such
21 signs to be erected and the cost thereof assessed against the property on the next general
22 assessment roll of the City.

1 (4) *Permitted parking.* The Fire Chief or his or her designee may grant permission for
2 parking of certain vehicles, objects or trailers in designated fire lanes for limited periods
3 where such parking will not interfere with the use of the fire lane by emergency vehicles.
4 Whenever such permission is granted, a record of the same shall be kept by the Fire
5 Department. In conjunction with such permission, the Fire Department shall furnish a
6 sign to be posted conspicuously on the vehicle, object or trailer stating that permission to
7 so park has been granted and stating the duration that it may remain so parked.

8 (5) *Guidelines for fire lanes at construction sites.* The Fire Chief or his or her designee
9 shall establish guidelines for use by the Building Safety Division in determining the need
10 for fire lanes at all new construction sites and at sites where existing structures are being
11 modified. These guidelines shall include minimum dimensions for such fire lanes so as to
12 provide adequate maneuverability for City fire vehicles. The Fire Department shall make
13 a final check of all plans for such building or alteration upon submission of the same by
14 the Building Safety Division. The Fire Department shall either approve or reject such
15 plans within 20 days of such submission and, if rejected, shall state the reasons for the
16 same. After rejection, such plans may be resubmitted for approval after the necessary
17 changes have been made.

18 (6) *Removal of vehicles, etc., from fire lanes.* When any member of the Fire department
19 or the Police Department observes any vehicle, trailer or other object parked in a fire lane
20 as herein established, and such vehicle, trailer or other object is not in such fire lane
21 under authority of subsection (4) hereof, he or she shall remove such vehicle, trailer or
22 other object or cause the same to be removed at the expense of the owner. If any vehicle,

1 trailer or other object is so located within a fire lane at a time the Fire Department is
2 responding to an alarm which necessitates use of such fire lane, then any member of the
3 Police Department or the Fire Department may move such vehicle, trailer or other object
4 or cause the same to be moved by any means possible without liability for damage.

5 (7) *Prohibited parking; citations.*

6 (a) No person shall stop, stand or park a vehicle, except when necessary to avoid
7 conflict with other traffic or in compliance with the directions of a law enforcement
8 officer, fire-fighter or traffic control device, within 15 feet of a fire hydrant.

9 (b) No person shall stop, stand or park a vehicle, whether occupied or not, in an
10 area designated as a fire lane, on public or private property, except when necessary
11 to avoid conflict with other traffic or at the direction of a law enforcement officer,
12 fire-fighter or traffic control device.

13 (c) The Fire Marshal and other members of the Fire Department shall have the
14 power and authority of a police officer to issue uniform traffic citations for a
15 violation of any of the provisions of this section.

16 (8) *Appeals.* Notwithstanding the provisions of Section 109 ~~section 108~~ of this code,
17 the following shall be the method of appeal from any decision of the Building Board of
18 Appeals as it may pertain to this section:

19 If any land owner is aggrieved by any decision as to the establishment of fire lanes, he or
20 she shall, within 30 days of the date of mailing of the fire lane establishment notice as
21 provided for in subsection (c) hereof, or within 30 days of the denial of a petition to

1 establish a fire lane, file with the Board of Appeals a written exception to such decision,
2 together with his or her reasons for the same.

3 During the next scheduled meeting of the Board of Appeals, or a special meeting set for
4 hearing the exception, it shall, after consideration of the reasons for the exception, affirm,
5 modify or rescind its original decision.

6 *I.F.C. Section 507.5 Fire Hydrant Systems* is hereby amended to include the following language:

7 Fire hydrant systems shall comply with sections 507.5.1 - 507.5.6 installation of new and
8 replacement hydrant systems and at the point of tap-in to a water main, shall be
9 completed by the Lansing Board of Water and Light, pursuant to the terms and conditions
10 of the collective bargaining agreement between the Board of Water and Light and the
11 International Brotherhood of Electrical Workers (IBEW) Local 352, and shall follow the
12 requirements for design and maintenance as set forth by the Board of Water and Light,
13 and as approved by the Fire Chief or his or her designee.

14 *I.F.C. Section 603.8 Incinerators* is hereby deleted and a new section 603.8 is added as follows:

15 *Incinerators*

16 (1) *General.* Free-standing noncommercial incinerators not connected to buildings are
17 not permitted. Permitted incinerators shall be in accordance with other governing
18 agencies' requirements regulating emissions. For other requirements, see the Michigan
19 Building Code, as adopted in Section 1420.01 of the Codified Ordinances of the City of
20 Lansing, and the Michigan Mechanical Code, as adopted in Section 1426.01 of the
21 Codified Ordinances of Lansing.

22 (2) *Maintenance.* Incinerators shall be maintained in good condition at all times.

(3) *Discontinuance.* The Fire Chief and his or her designee authorized to require incinerator use to be immediately discontinued if the Chief or his or her designee determines that smoke emissions are offensive to the occupants of surrounding property or if the use of the incinerator is determined by the Chief or his or her designee to constitute a hazardous condition.

I.F.C. Section 903.2.11.3 Buildings Over 55 Feet in Height is hereby amended to include the following:

This section shall include the adopted State of Michigan Bureau of Construction Codes Amendments to the International Building Code.

I.F.C. Section 907.2.12 ~~907.2.13~~ High Rise buildings is hereby amended to include the following:

This section shall include the adopted State of Michigan Bureau of Construction Codes Amendments to the International Building Code.

I.F.C. Section 905.12 ~~905.11~~ Existing Buildings is hereby deleted in its entirety.

I.F.C. Section 907.2 ~~907.3~~ Where Required—Retroactive in Existing Buildings and Structures is hereby deleted in its entirety and replaced with the following language:

Construction requirements for existing buildings shall meet the requirements of the Michigan Building Code adopted in Chapter 1420.

I.F.C. Section 5504.3.1.1 ~~3204.3.1.1~~ Location is hereby deleted and a new section 5504.3.1.1 ~~3204.3.1.1~~ is added as follows:

Stationary containers shall be located in accordance with section 5504.3.1 ~~3204.3.1~~
Containers of cryogenic fluids shall not be located within diked areas containing other

hazardous materials. The geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited are to be determined by the Lansing Fire Chief or his or her designee in accordance with NFPA 30 Flammable and Combustible Liquids Code, Department of Environmental Quality, sections 5504.3.1.1.1 – 5504.3.1.1.5, TABLE 5504.3.1.1 ~~3204.3.1.1.1 – 3204.3.1.1.5, table 3204.3.1.1~~, and any other applicable code or standard recognized by the Fire Chief or his or her designee.

I.F.C. Section 5704.2.9.6.1 ~~3404.2.9.6.1~~ Locations Where Above-ground Tanks are Prohibited is hereby deleted and a new section 5704.2.9.6.1 ~~3404.2.9.5.1~~ is added as follows:

The geographic limits in which the storage of class I and class II liquids in above-ground tanks outside of buildings is prohibited is to be determined by the Lansing Fire Chief or his or her designee in accordance with NFPA 30 Flammable and Combustible Liquids Code, Department of Environmental Quality, and any other applicable code or standard recognized by the Fire Chief or his or her designee.

I.F.C. Section 5706.2.4.4 ~~3406.2.4.4~~ Locations Where Above-ground Tanks are Prohibited is hereby deleted and a new section 5706.2.4.4 ~~3406.2.4.4~~ is added as follows:

The geographic limits in which the storage of class I and class II liquids in above-ground tanks is prohibited are to be determined by the Lansing Fire Chief or his or her designee in accordance with NFPA 30 Flammable and Combustible Liquids Code, Department of Environmental Quality, and any other applicable code or standard recognized by the Fire Chief or his or her designee.

I.F.C. Section 6104.2 ~~3804.2~~ Maximum Capacity Within Established Limits is hereby deleted and a new section 6104.2 ~~3804.2~~ is added as follows:

The geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas is to be determined by the Lansing Fire Chief or his or her designee in accordance with NFPA 58, the Liquefied Petroleum Gas Code, the Michigan Mechanical Code, and any other applicable code or standard recognized by the Fire Chief or his or her designee. The aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570l).

Exception: In particular installations, this capacity limit shall be determined by the Fire Chief or his or her designee, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed containers, degree of fire protection to be provided and capabilities of the local fire department.

I.F.C. Chapter 11-46, Construction Requirements for Existing Buildings, is hereby amended as follows:

Sections 1101-1105 ~~4601—4604~~ are deleted and replaced with the following language:
Construction requirements for existing buildings shall meet the requirements of the Michigan Building Code adopted in Chapter 1420.

I.F.C. Chapter 8047 Referenced Standards is hereby amended to include the following language:

Referenced standards shall be the most current publication or standard.

The following appendices are hereby amended to include the following language:

Appendix B Fire Flow Requirements for Buildings

Section B105.2 Building Other Than One- and Two-family Dwellings is hereby amended to include the following language:

No supply shall be permitted using piping less than 8 inches in diameter.

Appendix D Fire Apparatus Access Roads

Section D101.1 Scope is hereby amended to include the following language:

Fire apparatus access roads shall be in accordance with this appendix, all other applicable requirements of the International Fire Code or as required by the Fire Chief or his or her designee.

Appendix I Fire Protection Systems-Noncompliant Conditions under Section I101.3, paragraph 3.1 is hereby deleted.

(Ord. No. 1171, § 1, 8-8-11; Ord. No. 1177, § 1, 1-30-12)

1610.025. - Reserved.

1610.03. - Violations.

(a) No person shall violate any of the provisions of this chapter or fail to comply therewith, or violate or fail to comply with any order or regulation made thereunder, or build in violation of any detailed specifications or plans submitted and approved thereunder, or violate the terms of any license or permit issued thereunder.

The imposition of one penalty for a violation of or noncompliance with any of the provisions of this chapter shall not excuse the violation or permit it to continue, and any person violating or failing to comply shall be required to correct or remedy such violation or noncompliance within a reasonable time. When not otherwise specified, a separate offense shall be deemed committed each day that prohibited conditions are maintained.

1 (b) The application of the penalty set forth in Section 1610.99 shall not be held to
2 prevent the enforced removal or correction of prohibited conditions.

3 (c) Any of the requirements of this chapter specified for a certain section shall also
4 apply to any other section in which the same condition, operation or hazard exists of a
5 similar nature, whether or not specifically stated.

6 (Ord. No. 1171, § 1, 8-8-11)

7 1610.98. - Issuance of municipal civil infraction citations and violation notices.

8 (A) The Fire Marshal and all fire inspectors are hereby designated as the authorized City
9 officials to issue municipal civil infraction citations (directing alleged violators to appear in
10 court) or municipal civil infraction violation notices (directing alleged violators to appear at the
11 Municipal Ordinance Violations Bureau) as provided in Chapter 203.

12 (B) THE ADOPTION OF THE 2018 INTERNATIONAL FIRE CODE SHALL NOT BE
13 CONSTRUED AS TO AFFECT A RIGHT OR LIABILITY ACCRUED OR INCURRED
14 UNDER ANY PRIOR FIRE CODE TO THE EFFECTIVE DATE OF THIS ORDINANCE, OR
15 AN ACTION OR PROCEEDING FOR THE ENFORCEMENT OF SUCH RIGHT OR
16 LIABILITY. THE ADOPTION OF THE 2018 INTERNATIONAL FIRE CODE SHALL NOT
17 BE CONSTRUED TO RELIEVE ANY PERSON FROM PUNISHMENT FOR AN ACT
18 COMMITTED IN VIOLATION OF ANY PRIOR LEGISLATION, NOR TO AFFECT AN
19 INDICTMENT OR PROSECUTION THEREOF. FOR SUCH PURPOSES, ANY SUCH
20 LEGISLATION SHALL CONTINUE IN FULL FORCE NOTWITHSTANDING ITS REPEAL
21 FOR THE PURPOSE OF REVISION AND AMENDMENT.

22 (Ord. No. 1171, § 1, 8-8-11)

1610.99. - Penalty.

(a) Municipal civil infraction. Whoever violates any of the provisions of this chapter is responsible for a municipal civil infraction and shall be subject to the civil fine provided in Section 203.06 of these Codified Ordinances, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided by Section 202.99(c)(2).

(Ord. No. 1171, § 1, 8-8-11)

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council and shall expire on December 31, 2030.

Approved as to form:

City Attorney

Dated: _____

Approved as to form:

ORDINANCE REVIEW COMMITTEE

INTRODUCTION OF ORDINANCE

Council Member _____ introduced:

An ordinance of the City of Lansing, Michigan, for the purpose of amending the Lansing Codified Ordinances by amending Chapter 1610, to adopt the 2018 International Fire Code.

The Ordinance is referred to the Committee on _____

RESOLUTION SETTING PUBLIC HEARING BY CITY COUNCIL

Resolved by the City Council of the City of Lansing that a public hearing be set for _____ at 7 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of amending the Lansing Codified Ordinances by amending Chapter 1610, to adopt the 2018 International Fire Code.

Interested Persons are invited to attend this Public Hearing



Andy Schor, Mayor

PUBLIC SERVICE DEPARTMENT

7th Floor City Hall
124 West Michigan Avenue
Lansing, Michigan 48933
(517) 483-4455
FAX: (517) 483-6082
www.lansingmi.gov/pubserv



MEMORANDUM

TO: Mayor Schor

FROM: Lori Welch, Sustainability Manager

DATE: May 4, 2021

SUBJECT: Acceptance of EGLE Community Energy Management Grant

The Public Service Department recommends the acceptance of the 2020-2021 Community Energy Management grant from the State of Michigan Department of Environment, Great Lakes and Energy.

The grant was received on May 3, 2021 in the amount of \$9900.00.

The grant will fund solar assessments on Lansing Community Centers. Working with local non-profit, Michigan Energy Options, the work will focus on creating a resiliency hub within the City of Lansing. Emphasis will be placed equity and focusing on sites that have the best potential for a solar installation, as well as locations that will have the biggest impact and be within reach for the City to fully implement. Helping these neighborhood centers be more resilient in a potential future crisis, keep the lights on and power equipment to provide valuable services to the nearby community will be the goal.

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on January 21, 2021, the City of Lansing applied for a Community Energy Management (CEM) Grant to fund solar assessments of Lansing community centers; and

WHEREAS, on May 3, 2021, the City of Lansing received notification from the State of Michigan's Department of Environment, Great Lakes, and Energy (EGLE) that the City has received the 2021 CEM grant; and

WHEREAS, The City of Lansing was awarded \$9900.00 with no matching requirement; and

WHEREAS, the funded work must be completed by December 31, 2021; and

WHEREAS, the funds will be used for solar assessments on four Lansing community centers; and

WHEREAS, the Public Service Department is requesting acceptance of the Community Energy Management Grant; and

WHEREAS, the Administration and the City Council recognize the importance of exploring renewable energy programs within the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of the EGLE Community Energy Management grant for the purposes of assessment for installation of solar power on four Lansing Community Centers.

BE IT FINALLY RESOLVED, the Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for administration in accordance with the requirements of the grantor.



LANSING CITY COUNCIL

GRANT INFORMATION FORM

(Required for all grant applications and acceptances)

REFERRAL DATE:

GRANT NAME: EGLE Community Energy Management Grant

DEPARTMENT: Public Service

CONTACT PERSON (INCLUDE EMAIL AND PHONE): Lori Welch, lori.welch@lansingmi.gov, 517-483-4599

APPLICATION DATE: 1.21.2021 AWARD DATE: 5.3.2021

GRANT CYCLE: 2020/2021 Check One: ☐ Annual ☒ One-Time

FUND AMOUNT: \$9900 (Breakdown below should total this amount)

GOODS & SERVICES 9900

PERSONNEL

CONSTRUCTION \$0.00

LAND \$0.00

OTHER (Training)

CITY MATCH (IF APPLICABLE): \$0

GRANT PAYS FOR: Solar assessments of Lansing community centers

FUND ALLOCATIONS (Please describe the purpose of the grant and allowable uses):

To obtain a technical and financial feasibility study for the City of Lansing to adopt solar plus battery storage at select City of Lansing community centers. These centers could be developed into resiliency hubs, designed to establish a safe, welcoming, space for the surrounding neighborhoods in times of need. The solar plus storage feasibility will focus on the following City of Lansing facilities:

- Foster Community Center, 200 N Foster Ave.
- Gier Community Center, 2400 Hall St.
- Letts Community Center, 1220 W Kalamazoo St.
- Schmidt Community Center, 5825 Wise Rd.

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, it is proposed that a claim be resolved by virtue of entering into a settlement agreement with claimant 2062876-01126, in which, the City of Lansing would agree to pay Plaintiff the sum of Seventy-Five Thousand Dollars (\$75,000.00) in exchange for a complete redemption and release of the City from any past, present, and future liability regarding any alleged injuries/illnesses whatsoever;

WHEREAS, the proposed settlement is recommended by the Mayor, the Department of Human Resources Director, the City of Lansing's Fund Administrator, and the City Attorney;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the payment of Seventy-Five Thousand Dollars (\$75,000.00) pursuant to said proposed settlement agreement as a full and final settlement of said action.

BE IT FINALLY RESOLVED that the City Attorney is authorized to prepare and execute the requisite documents to complete settlement of the aforementioned lawsuit.

Approved for placement on the City Council
Agenda:

City Attorney

Date



City of Lansing

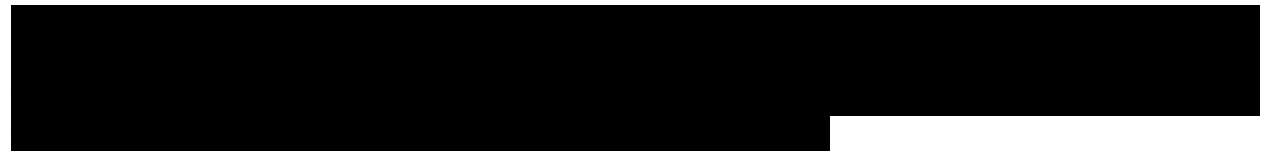
OFFICE OF THE CITY ATTORNEY

TO: Ways and Means Committee

FROM: F. Joseph Abood, Chief Deputy City Attorney

DATE: May 4, 2021

RE: WC Settlement 2062876-01126



CompOne Administrators, Inc. has evaluated this claim for settlement. We have negotiated a settlement of \$75,000.00 to release all past, present and future claims against the City of Lansing.

The Mayor, the Law Department and the Department of Human Resources support the recommendation for settlement and the Department of Human Resources advises that funds are available in the Workers Compensation Claims account. We are requesting your approval of the redemption of this case.

Please contact this office as soon as possible with any concerns you may have regarding the redemption of this claim.

cc: Linda Sanchez-Gazella, Human Resources Director
Kathy Woodman, Health & Wellness Administrator
Elizabeth O'Leary, Employee and Labor Relations Specialist

BY THE COMMITTEE _____
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has made the appointment of Maureen Saxton as an At-Large member of the Economic Development Corporation/Tax Increment Finance for a term to expire June 30, 2027; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee _____ took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Maureen Saxton as an At-Large member of the Economic Development Corporation/Tax Increment Finance for a term to expire June 30, 2027.

Jackson, Brian

From: Joscha Weese <joscha.weese@gmail.com>
Sent: Monday, May 3, 2021 12:57 PM
To: City Council
Cc: Clerk, City
Subject: [EXTERNAL] Ranked Choice Voting / City Council Meeting

Dear City Council members,

Thank you for taking the time to acknowledge and consider implementing a ranked choice voting system in our city! It has multitude of benefits to our democratic process but most of all it will allow a greater representative selection of our leaders. It will bring out the best in us as it diminishes the weight of special interest groups over the individuals we aspire to represent.

Lansing being one of the latest cities in our State to champion this idea will make me a prouder resident of the city and inspire others to participate in the process.

The above is my written comment I would like to leave with you concerning today's city council meeting (3rd of May), thank you for your time and your service.

Sincerely,

Joscha Weese
2308 S Rundle Ave, Lansing 48910
[Joscha.weese@gmail.com](mailto:joscha.weese@gmail.com)
517-626-9083

Jackson, Brian

From: John Schneider <schnd0367@gmail.com>
Sent: Monday, May 3, 2021 2:17 PM
To: City Council
Cc: Clerk, City; lansingrankyourvote@gmail.com
Subject: [EXTERNAL] Ranked Choice Voting for Lansing

Hello,

I am hoping you will consider adding Ranked Choice Voting to the ballot for November. I believe that Lansing would immensely benefit from the implementation of RCV, as it would allow us, in an election where we have 6-8 candidates and 2 positions, to forego the costs and expenditures around having primaries, and use that money to better benefit the city in other way, while also giving voters more flexibility to communicate what they want for the city when they vote.

Thank you for your consideration.

Jackson, Brian

From: Walter Sorg <waltsorg@me.com>
Sent: Monday, May 3, 2021 1:05 PM
To: City Council
Cc: Clerk, City; lansingrankyourvote@gmail.com
Subject: [EXTERNAL] Ranked Choice Voting

Please count me among the Lansing voters who would very much like to see Lansing set an example for Michigan by allowing voters to decide on implementing Ranked Choice Voting.

The purpose of any election should be to reflect the will of the voters; RCV makes it more likely that the winner of elections will truly be representative of voters rather than someone who slips in with minority support due to some electoral quirks in multi-candidate races. This is especially true in local elections which, as I'm sure you know, almost always have minuscule turnouts for the primary.

It would also save us the need to hold primary elections since we would have an instant runoff in November, rather than narrowing the field through the August primary.

Please put RCV on our November ballot.

Thank you
Walter Sorg
121 E Jolly Rd, Lansing

Jackson, Brian

From: Daniel Sayre <danieljsayre@gmail.com>
Sent: Monday, May 3, 2021 11:51 AM
To: City Council
Cc: Clerk, City; lansingrankyourvote@gmail.com
Subject: [EXTERNAL] Ranked Voting - Tonight's Meeting

Ranked voting is an extremely important step in the evolution of democracy, and I believe it is *the* next step. Granting citizens more clout for who they would prefer to elect makes significantly more sense than our current methods. While doing voter outreach during 2020, I learned from my fellow Michiganders that they do not usually consider their voices heard when they are pushed into choosing between the most popular candidates or political parties. Make our voices more powerful. Give us the tools for compromise on our way towards reaching elegant solutions.

Thank you,
Daniel Sayre

Please add my comment to the official record for tonight's City Council meeting. Thank you!

Jackson, Brian

From: Washington, Shara
Sent: Tuesday, May 4, 2021 8:32 AM
To: Jackson, Brian
Subject: FW: [EXTERNAL] Let's put Ranked Choice Voting (RCV) on the November Ballot

Shara Washington | pronouns: She/Her/Hers
Elections & Licensing Clerk (Scheduler/Records)
Lansing City Clerk's Office

From: Caitlin Barker <caitlinbarker@gmail.com>
Sent: Monday, May 3, 2021 4:24 PM
To: City Council <City.Council@lansingmi.gov>
Cc: lansingrankyourvote@gmail.com; Clerk, City <City.Clerk@lansingmi.gov>
Subject: [EXTERNAL] Let's put Ranked Choice Voting (RCV) on the November Ballot

Dear Lansing City Council Members,

As a homeowner here in Lansing, I care about civic engagement in my community. And as a PhD candidate in history at MSU, I know that we can make our elections work better for everyone. That is why I am writing to urge you to vote to approve putting Ranked Choice Voting (RCV) on the November ballot.

These are the primary reasons why RCV appeals to me personally:

- Voters get more say in who represents them, which leads to increased civic engagement.
- Places that use RCV see more women and people of color run and win, leading to more equitable representation for their communities.
- Candidates have an incentive to run more positive, issue-based campaigns, leading to reduced polarization.

Together these demonstrated civic benefits strengthen our democracy, and I strongly believe that bringing RCV to Lansing will make it a better place to live. Conversations about how to improve our elections are already happening all around the country, and RCV is a proven approach that Lansing residents deserve to learn more about. Let's put RCV on the November ballot.

Thank you for your time,
Caitlin Barker

Lansing City Clerk: I request that my comments be added to the official record of tonight's City Council meeting. Thank you!

Jackson, Brian

From: Washington, Shara
Sent: Tuesday, May 4, 2021 8:29 AM
To: Jackson, Brian
Subject: FW: [EXTERNAL] Ranked Choice Voting in Lansing

Shara Washington | pronouns: She/Her/Hers
Elections & Licensing Clerk (Scheduler/Records)
Lansing City Clerk's Office

From: Matthew Williams <m.williams9357@gmail.com>
Sent: Monday, May 3, 2021 5:20 PM
To: City Council <City.Council@lansingmi.gov>
Cc: Clerk, City <City.Clerk@lansingmi.gov>; lansingrankyourvote@gmail.com
Subject: [EXTERNAL] Ranked Choice Voting in Lansing

To the Lansing City Council,

I am writing to ask the Council to approve placing Ranked Choice Voting on the November ballot. This method of voting is a proven tool for causing elections to be more representative of the values of the voters and of their preferences of candidates. This method of voting also encourages productive dialogue about the issues facing voters, instead of giving candidates incentive to further fuel partisan divisions as our current system does.

Please add my comments to the official record of tonight's City Council meeting.

Thank you for your time and consideration.

Matthew Williams

Jackson, Brian

From: Washington, Shara
Sent: Tuesday, May 4, 2021 8:31 AM
To: Jackson, Brian
Subject: FW: [EXTERNAL] Ranked Choice Voting

Shara Washington | **pronouns:** She/Her/Hers
Elections & Licensing Clerk (Scheduler/Records)
Lansing City Clerk's Office

From: Abby Schwartz <aschwartz5858@gmail.com>
Sent: Monday, May 3, 2021 3:04 PM
To: City Council <City.Council@lansingmi.gov>
Cc: Clerk, City <City.Clerk@lansingmi.gov>; lansingrankyourvote@gmail.com
Subject: [EXTERNAL] Ranked Choice Voting

Dear Lansing City Council,

I am writing in support of putting Ranked Choice Voting on the ballot in November. As members of the City Council, you recognize how important local elections are to the residents of Lansing, and may be disappointed in the consistently low turnout for local elections. By using rank choice voting Lansing saves money by eliminating the primary, but additionally, your constituents are not worn down by two campaigns and by lots of negative campaigning. Turnout is particularly low in primaries as people are in vacation mode and not ready to tune in to elections. Other reasons for low turnout are negative campaigning, which no one likes. In the current plurality voting system, it can be effective. With ranked choice voting negative campaigning is less effective, as it may turn off voters who will not choose that person as their second choice. Another reason ranked choice voting is beneficial is that people can vote for who they truly want, even if they know that person has no chance of winning. They can make their voice heard, and feel inspired to vote.

There is no reason I can think of to not allow ranked choice voting, and we are only asking that you put it on the ballot for Lansing voters to decide. If you decide this is worthwhile, I ask that you move it forward as soon as possible so the language can be reviewed by the Attorney General and the Governor in a timely manner.

Please add my comments to the official record of tonight's meeting. Thank you.

Sincerely,
Abby Schwartz
118 Shepard St.
Lansing, MI 48912

--

"It is not your responsibility to finish the work [of perfecting the world], but you are not free to desist from it either" Rabbi Tarfon (Pirkei Avot 2:16)

Jackson, Brian

From: Washington, Shara
Sent: Tuesday, May 4, 2021 8:31 AM
To: Jackson, Brian
Subject: FW: [EXTERNAL] Support for Rank Choice Voting

Shara Washington | pronouns: She/Her/Hers
Elections & Licensing Clerk (Scheduler/Records)
Lansing City Clerk's Office

From: Melissa S. Quon Huber <hubermelissa@gmail.com>
Sent: Monday, May 3, 2021 4:01 PM
To: City Council <City.Council@lansingmi.gov>; Clerk, City <City.Clerk@lansingmi.gov>
Subject: [EXTERNAL] Support for Rank Choice Voting

Please add my comments to the official record of tonight's City Council meeting tonight. Thank you!

I am writing to express my enthusiastic support to add Ranked Choice Voting (RCV) the November ballot.

I think it is a wise option to consider for practical and ethical reasons.

1. As a data scientist I believe this is the most statistically sound way to get a true measure of voter preferences.

RCV encourages voters to select their honest preferences, rather than trying to guess what other voters will do and vote for the most "winnable" candidate.

Without RCV, voters are more likely to look to media polling to make choices, rather than look to their own heart, because they don't want to "waste their vote" on someone who they worry cannot win.

Voters may feel more engaged and inclined to vote if they feel that they are never "wasting" their vote.

2. RCV results in candidates with more universal support being selected which can promote better governance.

If voters have strong disagreements about their first choice candidates, but are collectively supportive of the same second choice candidate, the second choice candidate can win with a RCV ballot system.

This provides the opportunity to create more community harmony when more voters are satisfied with the outcome of the election.

In that scenario, without RCV, a large portion of the electorate would be dissatisfied with the results.

RCV would provide a different election outcome than traditional voting when such a scenario exists.

I urge you to support the resolution to add RCV to the November ballot.

Thank you,
Melissa

[Melissa S. Quon Huber, Ph.D.](#)

3340 Gingersnap Lane * Lansing, MI, 48911

Jackson, Brian

From: Joanne Galloway <galloway.joanne@gmail.com>
Sent: Monday, May 3, 2021 11:17 AM
To: City Council
Cc: Clerk, City
Subject: [EXTERNAL] City Council Meeting comment

Please enter this communication into the permanent record of the May 3 Lansing City Council Meeting.

Good day,

I am writing as a Lansing City resident in support of Ranked Choice voting. I encourage the council to approve putting RCV to the voters on the November ballot.

Thank you,

Joanne S Galloway
3100 E Mt Hope Rd, East Lansing, MI 48910
906 322 7501

Jackson, Brian

From: Boak, Sherrie
Sent: Monday, May 3, 2021 4:05 PM
To: Swope, Chris; Jackson, Brian
Subject: FW: [EXTERNAL] rank-choice votoing

Sherrie Boak
City Council Office Manager
124 W. Michigan Ave. | Lansing, MI 48933
O: 517-483-7683 | C: 517-290-5592 | sherrie.boak@lansingmi.gov | city.council@lansingmi.gov
www.lansingmi.gov/City_Council | Facebook | Twitter | Instagram |

CONFIDENTIALITY NOTICE: This e-mail contains information from the sender that may be CONFIDENTIAL, LEGALLY PRIVILEGED, PROPRIETARY or otherwise protected from disclosure. This e-mail is intended for use only by the person or entity to whom it is addressed. If you are not the intended recipient, any use, disclosure, copying, distribution, printing, or any action taken in reliance on the contents of this e-mail, is strictly prohibited. If you received this e-mail in error, please contact the sending party by replying in an e-mail to the sender, delete the e-mail from your computer system and shred any paper copies of the e-mail you printed.

-----Original Message-----

From: Jon Miles <katjam794@gmail.com>
Sent: Monday, May 3, 2021 4:04 PM
To: City Council <City.Council@lansingmi.gov>
Subject: [EXTERNAL] rank-choice votoing

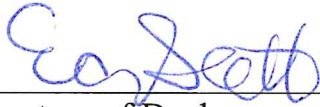
As an Independent I am strongly opposed to rank-choice voting. Pulling a single lever for 1 party turns us all into "Yellow Dog Democrats".

This eliminates voter obligation to research how a candidate votes and their attendance records among other things. Please do not pass this resolution. Kathy Miles

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-123 - Summary of Adopted Ordinance #1284 - Lansing City Clerk - appeared Wednesday, May 19, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 19th day of May, 2021

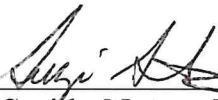


Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on May 19, 2021

By Earlisha Scott



Suzi Smith, Notary Public

My commission expires February 26, 2025

and fiscal responsibility. I'm proud to have a tangible record of service to our residents and business owners.

In my first year on the Council, I worked with local LGBTQ and BIPOC communities to write Lansing's Human Rights Ordinance, with protections against discrimination in housing, employment and public accommodations. I also made the case to install stormwater filtration systems along Michigan Avenue to clean toxic runoff before it reaches the river.

In the years since, I worked with our parks department to write the MDNR grant used to purchase the

Spartan Valuland grocery store.

I proudly worked alongside members of our Latinx and immigrant communities to create sanctuary policies that protect noncitizen residents' rights to due process.

When the city privatized the parts supplier in our city garage, I worked with UAW leadership to prove that costs were higher and efficiency was lower, and the contract was terminated. We restored two union jobs and saved money.

Most recently, I worked with city attorneys and finance staff to restructure the Lansing Lugnuts contract renewal, saving taxpayers \$2 million

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CITY OF LANSING SUMMARY OF ADOPTED ORDINANCE # 1284

Lansing City Council adopted an Ordinance of the City of Lansing, Michigan, to amending Chapter 280 Section 280.03, to provide that the Elected Officer Compensation Commission shall meet in even-numbered years to determine the compensation of elected officers in the manner provided in Chapter 280.

Effective date: June 9, 2021

Notice: The full text of this Ordinance is available for review at the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan. A copy of the full text of this Ordinance may be obtained from the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan at a fee determined by City Council.

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#21-123

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Ten winners in art contest

Their work (including that of our own cover illustrator Nevin Speerbrecker) will be featured online and on billboards across Michigan as part of LAFCU's "Act with Love & Equality" art initiative. Winning entries feature graphical depictions of "words of love and equality" that serve as "public reminders about what is important in daily life," officials said.



Read more at lansingcitypulse.com.

Lansing celebrates '517 Baby'

Bowen Kurtzhals was the first baby born in Lansing on May 17 — otherwise known as "517 Day." Bowen was born at 8:25 a.m. to Kailee and Austin Kurtzhals, measuring in at 2 ½ inches and 8 lbs. and 15 oz. Hospital staff said Bowen and his parents are "recovering and doing well."

Two killed in South Lansing shooting

Kian Maliak Miller Jr. and Timothy Isador Minor III, 20 and 23, of Lansing, were shot on Burchfield Avenue. One suspect — who reportedly knew the two men — fled the scene and has not been arrested. Those with information are asked to call the Lansing Police Department at 517-483-4600.

City official warns of apocalypse

The director of Lansing's Department of Human Resources, Linda Sanchez-Gazella, cautioned about the "second coming of Christ" — including the "mark of the beast," microchips, martial law, a cashless society and total government dependency — on her personal Facebook page.

Read more at lansingcitypulse.com.

Silence at Lansing City Hall

This week marked the first Lansing City Council meeting in at least 20 years that didn't include a single public comment, city officials estimated. Councilman Brian Jackson said he was concerned, particularly

CITY OF LANSING SUMMARY OF ADOPTED ORDINANCE # 1283

Lansing City Council adopted an Ordinance of the City of Lansing, Michigan, to repeal Chapter 650, Section 650.05, a criminal misdemeanor under the General offenses code of the codified ordinances to eliminate eliminate parental responsibility.

Effective date: June 9, 2021

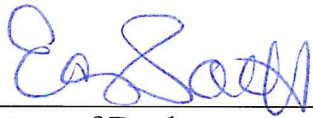
Notice: The full text of this Ordinance is available for review at the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan. A copy of the full text of this Ordinance may be obtained from the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan at a fee determined by City Council.

Page 233 of 239

AFFIDAVIT OF PUBLICATION

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WITNESS my signature 19th day of May, 2021



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on May 19, 2021

By Earlisha Scott



Suzi Smith, Notary Public

My commission expires February 26, 2025

rials. The bricks are the same color, tone and size, for example. Furthermore, the designs are united by complementary fenestration. From the French for window, fenestration refers to the quality, quantity and other aesthetic features of the openings in the building's envelope: doors, windows, skylights. The windows in these two versions of the MSU Music Building are similar but not identical; it is as if the new windows are giving a nod to the former windows, saying, "I'll take it from here." The windows over the front entrance, which is now centered symmetrically in the enlarged building, appear elongated in the modern-day addition. The visual connection between the windows of the two buildings is literally repeated in the atrium that connects the 1939 building to the contemporary one. Overall, the effect creates a new building that pays homage to its history in a thoughtful, well-designed way.

— CARRIE SAMPSON

"Eye Candy of the Week" is our look at some of the nicer properties in Lansing. It rotates with Eyecore of the Week and Eye for Design. If you have a suggestion, please e-mail eye@lansingcitypulse.com or call Bert Schwartz at 999-5061.

Ten winners in art contest

Their work (including that of our own cover illustrator Nevin Speerbrecker) will be featured online and on billboards across Michigan as part of LAFCU's "Act with Love & Equality" art initiative. Winning entries feature graphical depictions of "words of love and equality" that serve as "public reminders about what is important in daily life," officials said.



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Read more at lansingcitypulse.com.

Silence at Lansing City Hall

This week marked the first Lansing City Council meeting in at least 20 years that didn't include a single public comment, city officials estimated. Councilman Brian Jackson said he was concerned, particularly because the passage of the annual budget made this week's meeting among "the most

ignoring the victim in a 1999 murder. Rivera's killer, Mora, who has applied for a gubernatorial commutation, is 21 years in prison, was the subject of last week's cover story. Read more at lansingcitypulse.com.

Lansing celebrates '517 Baby'

Bowen Kurtzals was the first baby born in Lansing May 17 — otherwise known as "517 Day." Bowen was born 8:25 a.m. to Kailee and Austin Kurtzals, measuring in at 1 1/2 inches and 8 lbs. and 15 oz. Hospital staff said Bowen and his parents are "recovering and doing well."

Two killed in South Lansing shooting

Kian Malak Miller Jr. and Timothy Isador Minor III, 2 and 23, of Lansing, were shot on Burchfield Avenue. One suspect — who reportedly knew the two men — fled the scene and has not been arrested. Those with information are asked to call the Lansing Police Department at 517-483-4600.

CITY OF LANSING SUMMARY OF ADOPTED ORDINANCE # 1283

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Effective date: June 9, 2021

Notice: The full text of this Ordinance is available for review at the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan. A copy of the full text of this Ordinance may be obtained from the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan at a fee determined by City Council.

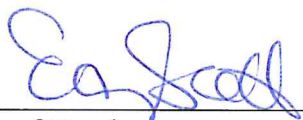
Chris Swope, Lansing City Clerk, MMC/MIP/MC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#21-124

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-125 - Summary of Adopted Ordinance #1281 - Lansing City Clerk - appeared Wednesday, May 19, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 19th day of May, 2021



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on May 19, 2021

By Earlisha Scott


Suzi Smith, Notary Public

My commission expires February 26, 2025

making calls out address to address.”

In pre-pandemic 2019, Jehovah's Witnesses officials had tallied over 2 billion hours spent on streetside outreach among its approximately 8.7 million adherents worldwide. And while members might be losing face-to-face contact, their faith has only continued to grow, Stutz said.

Lansing residents Dave and Susan Price joined a Jehovah's Witness congregation in the late '60s and have since lost exact count of how many doors they've knocked in the last 50 years. They estimate it to be several thousands — mostly in southwest Lansing and Dimondale.

“We were used to meeting people at

of a conversationalist on the phone — even with family and friends.

“Neither of us were comfortable doing it in the beginning, but we both started to really feel the value of it and were enjoying doing it,” Price added. “On a day of going door to door, we might visit 50 homes. Maybe 10 would answer the door. Many more people answer the phone.”

Unlike home visits, Witnesses can also now leave voicemails for those who are unavailable — further enhancing local outreach efforts, Sue Price added. The shift saved them gas money too.

“I have appreciated how cordial most people have been when we talk to them,” Dave Price said. “We appre-

CITY OF LANSING SUMMARY OF ADOPTED ORDINANCE # 1281

Lansing City Council adopted an Ordinance of the City of Lansing, Michigan, to repeal Chapter 680, Section 680.06, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate drug paraphernalia.

Effective date: June 9, 2021

Notice: The full text of this Ordinance is available for review at the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan. A copy of the full text of this Ordinance may be obtained from the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan at a fee determined by City Council.

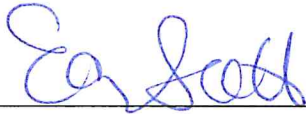
Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#21-125

AFFIDAVIT OF PUBLICATION

I, Earlisha Scott, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement - CP#21-126 - Summary of Adopted Ordinance #1282 - Lansing City Clerk - appeared Wednesday, May 19, 2021 and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.

WITNESS my signature 19th day of May, 2021



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on May 19, 2021

By Earlisha Scott



Suzi Smith, Notary Public

My commission expires February 26, 2025

COUNTY OF INGHAM
NOTICE TO CREDITORS
Decedent's Estate
File No 21-358-DE

Estate of Avis Anne O'Connor.
Date of birth: 05/13/1927. NOTICE
TO ALL CREDITORS: The decedent,
Avis Anne O'Connor, died on
01/09/2021. Creditors of the
decedent are notified that all
claims against the estate will be
forever barred unless presented
to Thomas Sean O'Connor,
personal representative or to
Kathleen M. Hestert, Esq.,
attorney for the personal representative
and the personal representative
within 4 months after the date of
publication of this notice.

Date: 05/13/2021
Kimberly L. Savage P66267
1463 Hestert Rd.
East Lansing, MI 48840
517-515-5000
Thomas Sean O'Connor
6101 Horizon Dr.
East Lansing, MI 48823

CP#21-127

Best Buy, and restaurant tweeted. "Those who are fully vaccinated may roam about freely without their mask, or still keep it on. It's up to you."

The state changes mirror guidance released from the CDC that also provides that face masks are no longer required for anyone at any outdoor gathering regardless of vaccination status. Those who are not vaccinated or in between shots are asked to keep wearing them in Michigan.

Federal guidance also still encourages face masks in crowded indoor settings regardless of vaccine status — including recommendations that

Following federal guidance, the state Department of Health and Human Services recommended that healthcare providers statewide begin vaccinating children ages 12 to 15. State officials also recommended that all types of the COVID-19 vaccine can now be administered at the same time (or on the same day) as other vaccines for children and adults.

Accordingly, the Ingham County Health Department — among other providers like Rite Aid — are accepting appointments for those ages 12 and up. Parents and guardians can schedule appointments anytime at hd.ingham.org/coronavirus. To 4 p.m. Tuesday through Thursday.

— KYLE KAMINSKI

CHARTER TOWNSHIP OF LANSING
NOTICE OF PUBLIC HEARING
SPECIAL USE PERMIT

Notice is hereby given that the Charter Township of Lansing Planning Commission will hold a public hearing on Wednesday, June 2nd, 2020 at 7:00 p.m. In compliance with Michigan Public Act 254 this meeting is being conducted via ZOOM Meeting Platform. For the purpose of recommending approval or denial of the following request:

Special Use Permit SP-21-02 Expanse Storage, to allow the use of mini-warehousing and storage within the West Park Planned Development.

Tentative text and other information may be examined at the Office of the Clerk, 3209 West Michigan Avenue, Lansing, Michigan.

Maggie Sanders, Clerk
Charter Township of Lansing
CP#21-129

CITY OF LANSING
SUMMARY OF
ADOPTED ORDINANCE # 1282

Lansing City Council adopted an Ordinance of the City of Lansing, Michigan, to repeal Chapter 630, Section 630.12, a criminal misdemeanor under the General Offenses Code of the Codified Ordinances to eliminate loitering in places where controlled substances or drug paraphernalia is sold, used, etc.

Effective date: June 9, 2021

Notice: The full text of this Ordinance is available for review at the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan. A copy of the full text of this Ordinance may be obtained from the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan at a fee determined by City Council.

Chris Swope, Lansing City Clerk, MMC/MIPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#21-126