

Agenda

Historic Preservation Commission

City of Kalamazoo



Wednesday, April 12, 2023

6:00 PM

City Commission Chambers at City Hall – 241 West South Street

A. CALL TO ORDER/ROLL CALL

1.
 - Fred Edison
 - Kyle Hibbard - *Chair*
 - Dr. Lenee Powell - Wilson
 - Patrick Vail
 - Ryan Walker - *Vice Chair*
 - Katherine White
 - *Vacant*

B. ADOPTION OF FORMAL AGENDA

C. APPROVAL OF MINUTES

1. Approval of the minutes from the Historic Preservation Commission meeting on 8 March 2023

D. PUBLIC COMMENTS

E. GUESTS

1. Katie McPherson - Executive Director, Building Blocks of Kalamazoo

F. REPORTS

1. Financial Report
2. Preservation Month 2023 Report
3. O'Connor Fund Grant Making Organizing Committee Report

4. Section 106 Quarter 1 Report

G. DISCUSSION/ACTION ITEMS

1. Re-appoint Dr. Powell-Wilson
2. Historic Preservation Awards of Merit Nominations
3. Gift - Community Home Works

H. COORDINATOR'S REPORT

1. Coordinator's Report

I. COMMISSIONER COMMENTS

J. ADJOURNMENT

The mission of the Kalamazoo Historic Preservation Commission is to educate the public and city leaders on the value of preserving the City's historic resources and to advise the City Commission accordingly. Questions and comments regarding this agenda should be directed to the Historic Preservation Coordinator at 337-8804.

Comments under the "Public Comments" section of the agenda are limited to four minutes per speaker. During agenda items, comments from members of the public are also limited to four minutes each, unless the speaker is invited to join in the discussion by the Commission.

Agenda

Historic Preservation Commission

City of Kalamazoo



Wednesday, February 8, 2023

6:00 PM

City Commission Chambers at City Hall – 241 West South Street

A. CALL TO ORDER/ROLL CALL

Called to order at 6pm

White approved, moved to approve absence of Vail.

Hibbard 2nd motion

B. ADOPTION OF FORMAL AGENDA

Pena suggested adding Kaylin Humes to agenda, White moved to approve agenda as amended.

Edison 2nd motion

Kaylin Humes read her report.

C. APPROVAL OF MINUTES

Edison said first paragraph section 9 spelling gap should be cap. Hibbard pointed out capitalization in tab area.

1. Approval of the minutes from the Historic Preservation Commission meeting on December 14th, 2022.

Powell-Wilson moved to approve minutes as amended.

Edison second motion

D. PUBLIC COMMENTS

E. REPORTS

1. Financial Report

Pena said error in generated final report will bring to January/February report to next meeting.

F. DISCUSSION/ACTION ITEMS

1. Historic Preservation Commission Annual Report Review

Pena shared highlights from annual report.

Edison recommended Historic Preservation Commission be active with neighborhoods.

2. Officer Elections

- a. Chair
Gorham called for nominee for chair.
White moved to nominate Hibbard to chair.
Powell-Wilson second motion
Hibbard accepted nomination.
Hibbard was appointed to chair.
 - b. Vice Chair
Powell-Wilson nominated Walker.
White second nomination
Walker accepted nomination.
Walker was appointed to vice chair.
- 3. Second Half 2022 106 Report
Pena read the report.

G. COORDINATOR'S REPORT

- 1. Historic Preservation Coordinator's Report
Pena read the report.

H. COMMISSIONER COMMENTS

I. ADJOURNMENT

Edison moved to adjourn at 7:08

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expstat.rpt
04/04/2023 10:58AM
Periods: 3 through 3

Expenditure Status Report

Page: 1

City of Kalamazoo
3/1/2023 through 3/31/2023

<u>Account Number</u>		<u>Adjusted</u> <u>Appropriation</u>	<u>Expenditures</u>	<u>Year-to-date</u> <u>Expenditures</u>	<u>Year-to-date</u> <u>Encumbrances</u>	<u>Balance</u>	<u>Prct</u> <u>Used</u>
270	HISTORICAL COMMISSION FUND						
270-803	HISTORIC COMMISSION						
270-803-00.000	HISTORIC COMMISSION						
270-803-00.000	HISTORIC COMMISSION						
270-803-00.000-729.000	OPERATING SUPPLIES	400.00	0.00	0.00	0.00	400.00	0.00
270-803-00.000-801.000	PROFESSIONAL AND CONTRACTUAL SERVICES	6,000.00	0.00	114.46	0.00	5,885.54	1.91
270-803-00.000-810.003	MEMBERSHIPS AND SUBSCRIPTIONS	600.00	0.00	0.00	0.00	600.00	0.00
270-803-00.000-811.000	PROFESSIONAL DEVELOPMENT	500.00	0.00	0.00	0.00	500.00	0.00
270-803-00.000-881.000	FUNDRAISING	500.00	0.00	0.00	0.00	500.00	0.00
Total HISTORICAL COMMISSION FUND		8,000.00	0.00	114.46	0.00	7,885.54	1.43
Grand Total		8,000.00	0.00	114.46	0.00	7,885.54	1.43

Page: 1

revstat.rpt
04/04/2023 11:04AM
Periods: 3 through 3

Revenue Status Report

Page: 1

City of Kalamazoo
3/1/2023 through 3/31/2023

<u>Account Number</u>	<u>Adjusted Estimate</u>	<u>Revenues</u>	<u>Year-to-date Revenues</u>	<u>Balance</u>	<u>Prct Rcvd</u>
270 HISTORICAL COMMISSION FUND					
270-803 HISTORIC COMMISSION					
270-803-00.000 HISTORIC COMMISSION					
270-803-00.000 HISTORIC COMMISSION					
270-803-00.000-642.003 HISTORIC PRESERVATION SALES	3,000.00	0.00	300.00	2,700.00	10.00
270-803-00.000-674.003 HISTORIC PRESERVATION FUNDRAISING	1,000.00	0.00	0.00	1,000.00	0.00
270-803-00.000-684.000 USE OF RESERVES (BUDGET ONLY)	4,000.00	0.00	0.00	4,000.00	0.00
Total HISTORICAL COMMISSION FUND	8,000.00	0.00	300.00	7,700.00	3.75
Grand Total	8,000.00	0.00	300.00	7,700.00	3.75

Page: 1

Fund: 270

Account: 270-803-00.000-642.003 HISTORIC PRESERVATION SALES

Doc Date	Jrnl	Type	Doc #	Ref #	Line	Description	Project String	Actual	D/C	Encumbrance	Budget Adj
2/28/2023	GJ	GJ	5473707	23582	11	HISTORIC PRESERVATION CLASS		300.00	C	0.00	0.00
TOTAL 270-803-00.000-642.003								-300.00		0.00	0.00
Fund 270 TOTAL								-300.00		0.00	0.00
GRAND TOTAL								-300.00		0.00	0.00

Report

To: Kalamazoo Historic Preservation Commission
Luis Pena, Historic Preservation Coordinator, City of Kalamazoo
From: Pam O'Connor
Subject: Preservation Month, 2023 Presentation
Historic Preservation Month, 2023
Date: 3 April 2023

For the KHPC meeting on Wednesday, April 12, 2023

The Committee has not met, but continues its work.

Item	Who	Due When
• Get Kazoo Images from Jeff for Brochure from following book pages: 243 (large right), 248 (bottom), 252 (bottom left), 419 – 422 (all from Kalamazoo.)	Pam	Mid-January
• Send BIO for self to Pam	Lynn	Mid-January
• Get Jeff's Bio from U of M's website & send to Sara	Pam	Mid-January
• Get Book Reviews for Brochure	Pam	Mid-January
• Draft Description for Brochure	Pam	Mid-January
• Build Contact List* on a spreadsheet	Lynn/Sara/Pam	February 1st
• Write "Intro" for Brochure mailings	Pam	February 1st
• Prepare/Send "Save The Date" Notice	Sara	Mid-March
• Create Brochure	Sara	Mid-March
• First brochure mailing	Sara	April First
• Second brochure mailing	Sara	May 1 st
• Third brochure mailing	Sara	May 11 th
• Guardians of Michigan Event	ALL	May 18 th

The brochure or "Flyer" as we've called it, along with an Instagram are a bit behind schedule, but are nearing completion, and will be sent probably within the next week or so.

Both Luis and the AIA are getting payment requisitions ready for our speakers!

Copies to: Sara Tripp, Lynn Houghton, Jo Stavig

Report for KHPC/O'Connor Fund ORGANIZING Committee meeting on 3-21-2023

Pam O'Connor

Meeting Date: 3-21-23

Report: Edits to the Application, Scoring Sheet & Web links/Katherine & Pam

Most were ready by roll-out on 3-21, several new ones were identified by Pam and Luis shortly after roll-out, and have been corrected.

I've started a list titled "Possible Application/Web Page Revisions" to track these for the web site. And Luis, as the first point of contact with potential applicants, is keeping a log of the questions he receives, and we will review these as well when we meet next month (or later, after a round is complete) and may make edits for 2024.

Report: Promoting and scheduling the Grant-Making Committee's work/Katherine & Pam

Except for the short presentation before the City Commission, all promotional & scheduling communications were prepared and distributed as planned. The next up is the public program reminder on April 12. Text is drafted and will be finished and sent on to Luis for CoK Communications on or before 4-6-23.

Luis reports 2-3 inquiries to date, no applications, and one possibly promising project.

Report: Revise and implement grant-making promotion program & timeline/Katherine & Pam

We (the Organizing Committee) has 2 things remaining on its "to do" list. See below under "What's Left"!

Next meeting

We will meet one more time before dissolving the committee, on **Tuesday, April 18th at 10am**. Regina has a webinar booked, so Luis will set up the ZOOM for us.

What's left:

~~Distribute practice application to the grant-making committee for review, scoring and a possible meeting~~

~~Meet to get feedback on the grant-scoring process~~

~~Get Feedback from CoK Communications re: web page; then revise and implement the grant-making promotion program & timeline and prepare introductory text and public announcements~~

Disband the organizational committee

Start making grants!

2023 All reviews ER 96-713 106 Review Log
City of Kalamazoo, Kalamazoo County – A Certified Local Government

***ALSO REVIEWED – No Historic Property – end of this document**

1. 04/04/2023 1615 LAY BLVD Edison Community Home Works

PROPOSED WORK: Code Enforcement Project

- Run new gutter across 2nd story eave at rear of home
- Install aluminum flashing on bath fan vent at rear 1st story roof
- Install new posts and handrail system on rear deck
- Replace broken deck boards on rear deck and stairs as needed
- Seal around exterior dryer vent
- Re-mount handrail to basement
- Install dehumidifier with pump in basement for moisture issues
- Install nut/washer on drain extension under bathroom sink
- Install new flush light fixture in living room
- Install new switch and outlet plates on main floor where missing

AREA OF POTENTIAL EFFECT: Limited to this house and adjacent properties on Lay Blvd

HISTORIC PROPERTIES PRESENT: This house was evaluated as being a contributing structure in the Hays Park / South Park Historic District in the 2022 Reconnaissance Level Historic Survey. This area is **National Register eligible**. This house is **National Register (NR)** eligible.

DETERMINATION OF EFFECT: No ADVERSE Effect on historic properties. Work may proceed without further review. The proposed work is covered under Appendix C of the Programmatic Agreement between the City of Kalamazoo and the State Historic Preservation Office of Michigan.

2023 All reviews ER 96-713 106 Review Log
City of Kalamazoo, Kalamazoo County – A Certified Local Government

ALSO REVIEWED – No Historic Property

Date		Address	Work	Agency
1	1/3/2023	2335 Springmont	Maintenance	CHW
2	1/11/2023	1001 Burdick	Rehabilitation	Milestones
3	1/12/2023	832 Staples	garage demo	CDBG
4	1/12/2023	130 Balch	garage demo	CDBG
5	1/18/2023	807 Clarence	Rehabilitation	Milestones
6	1/18/2023	827 Clarence	Rehabilitation	Milestones
7	1/18/2023	1002 N Pitcher	Rehabilitation	Milestones
8	1/24/2023	902 Cobb	Rehabilitation	Milestones
9	1/24/2023	1601 Union	Rehabilitation	Milestones
10	1/26/2023	312 Bessie	Rehabilitation	Milestones
11	1/31/2023	518 W North	Dmo	CDBG
12	2/7/2023	2335 Springmont	Rehabilitation	Milestones
13	2/8/2023	1716 Palmer	Rehabilitation	Milestones
14	2/8/2023	536 Edwin	Rehabilitation	KENA
15	2/17/2023	1215 N Rose	Maintenance	CHW
16	2/17/2023	1921 Krom	Rehabilitation	Milestones
17	2/17/2023	1508 Beacon	Rehabilitation	CHW
18	2/17/2023	615 Wallace	Rehabilitation	KENA
19	2/17/2023	550 Phelps	Rehabilitation	KEENA
20	2/17/2023	421 Phelps	Rehabilitation	KENA
21	2/17/2023	1825 Charles	Rehabilitation	KENA
22	2/17/2023	703 Charlotte	Rehabilitation	KENA
23	2/17/2023	604 Gilbert	Rehabilitation	KENA
24	2/22/2023	4118 Konkle	Rehabilitation	CHW
25	2/22/2023	1807 N Church	Rehabilitation	CHW
26	2/23/2023	535 Elizabeth	Rehabilitation	CHW
27	3/2/2023	524 Lulu	Rehabilitation	CHW
28	3/2/2023	1218 Woodward	Rehabilitation	Milestones
29	3/2/2023	116 Alcott	Rehabilitation	Milestones
30	3/10/2023	726 Hawley	Lead Remediation	KNHS
31	3/10/2023	526 Lawrence	Rehabilitation	Milestones
32	3/24/2023	1713 Union	Rehabilitation	Milestones
33	3/24/2023	3103 Onondaga	Rehabilitation	CHW
34	3/24/2023	3228 Konkle	Rehabilitation	CHW
35	3/24/2023	1131 Maywood	Rehabilitation	CHW
36	3/24/2023	1510 Krom	Rehabilitation	CHW
37	3/24/2023	1205 N Rose	Rehabilitation	CHW
38	3/24/2023	1413 N Burdick	Rehabilitation	CHW

Historic Preservation Awards Nomination



Submission date: **12 March 2023, 2:38PM**

Receipt number: **3**

Related form version: **3**

Type of Nomination

Would you like to nominate a Historic Structure or an Individual/Institution? **Historic Structure**

Nominated By **Stuart Area Restoration Association**

Historic Structure

Address of Structure **606 Stuart Avenue Kalamazoo 49007**

Owner's Name **Kalamazoo Public Schools**

Owner's Email Address **[REDACTED]**

Owner's Phone Number **[REDACTED]**

Owner's Address **[REDACTED]**

Did this project utilize Federal or Michigan Historic Preservation Tax Credits? **No**

Which category is this property nominated in? Choose only ONE. **Commercial/Institutional/Government Property Projects/programs**

Was this project Rehabilitation or Stewardship? **Stewardship (The ongoing preservation of a historic resource with necessary appropriate maintenance to preserve the character and integrity of the historic resource.)**

In a narrative form, explain why the project qualifies, and the resulting community impact. Please do not submit a list of work or specifications.

The clock was made operative on the clock tower of Woodward School. The school was built in 1930. The clock had not worked in over 30 years.

Please upload five to ten photographs showing: the project itself, important details, the project within the greater context, front and rear shots of the structure, a shot of the streetscape (buildings on both sides) and close-ups.

[0C7EC979-58AE-429C-974E-B85509244B5E.png](#)
[7C71E3A3-C44B-4558-BC83-82E95D561406.png](#)
[07A380E0-8526-4164-9BEC-697B238ADCAA.jpeg](#)
[CC408B6D-C6DE-49DB-A977-E692EC504813.jpeg](#)
[E69C5532-5A8B-4489-B1EF-32351B23D4E3.jpeg](#)

Individual or Institution

Name of Individual or Institution

Nominee's Email Address

Nominee's Phone Number

Nominee's Address

In a narrative form, tell us why this individual or institution deserves a Historic Preservation Award of Merit. What was the activity? How did it benefit preservation in Kalamazoo?

Contact Information

Name Cynthia Whittingham

Organization (if applicable)

Email Address

Phone Number

Address

Preferred Contact Method











Historic Preservation Awards Nomination



Submission date: **15 March 2023, 3:25PM**

Receipt number: **2**

Related form version: **3**

Type of Nomination

Would you like to nominate a Historic Structure or an Individual/Institution? **Historic Structure**

Nominated By **Matt Milcarek**

Historic Structure

Address of Structure **1219**

Owner's Name **KNHS Home Ownership Services**

Owner's Email Address **[REDACTED]**

Owner's Phone Number **[REDACTED]**

Owner's Address **1219**

Did this project utilize Federal or Michigan Historic Preservation Tax Credits? **No**

Which category is this property nominated in? Choose only ONE. **Commercial/Institutional/Government Property Projects/programs**

Was this project Rehabilitation or Stewardship? **Rehabilitation (Work performed on a historic resource to return it a condition that allows continued use for the same purpose or an appropriate adaptive re-use.)**

In a narrative form, explain why the project qualifies, and the resulting community impact. Please do not submit a list of work or specifications.

KNHS conducted a full exterior and interior rehabilitation of their mid-century modern office building. Originally constructed as a medical office, the building at 1219 S. Park is a rare example of a mid-century modern building within the Vine Neighborhood. After years of vacancy, KNHS purchased the property in 2015. The interior and exterior were both in need of deep maintenance and upgrading. In 2020, a vehicle crashed through the front of the building, damaging the original brick and risking the architectural integrity of the building. KNHS worked to add windows matching the existing architecture to ensure that the existing undamaged bricks would be sufficient to complete the repairs. A full building rehabilitation followed, which included a new flat roof, flood water control infrastructure, exterior repairs and painting, new windows (casements replaced with casements of the same size), electrical and plumbing upgrades, increased ADA accessibility, a new kitchen, new offices, new flooring and ceilings, and interior painting. The end result is a building that holds true to its original architecture, while offering the upgrades and upkeep needed to stay in modern use for decades to come.

Please upload five to ten photographs showing: the project itself, important details, the project within the greater context, front and rear shots of the structure, a shot of the streetscape (buildings on both sides) and close-ups.

[1219 Front.jpg](#)

[1219 Front 2.jpg](#)

[1219.jpg](#)

[20162_00_N19.jpg](#)

[20162_00_N21.jpg](#)

[20162_00_N24.jpg](#)

[20162_00_N22.jpg](#)

[20162_00_N26.jpg](#)

[20162_00_N27.jpg](#)

[20162_00_N29.jpg](#)

Name of Individual or Institution

Nominee's Email Address

Nominee's Phone Number

Nominee's Address

In a narrative form, tell us why this individual or institution deserves a Historic Preservation Award of Merit. What was the activity? How did it benefit preservation in Kalamazoo?

Contact Information

Name

Matt Milcarek

Organization (if applicable)

Email Address

Phone Number

Address

Preferred Contact Method






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KNHS
HOME OWNERSHIP
SERVICES

**Fostering
Home Ownership
& Revitalizing
Neighborhoods**
SINCE 1981

KNHS.ORG
our services

- Home Ownership Education & Programs
- Financial Coaching
- Foreclosure Counseling/Prevention Services
- Construction & Lending
- Lead-based Paint Hazard Remediation







Historic Preservation Awards Nomination



Submission date: **24 March 2023, 8:43PM**

Receipt number: **4**

Related form version: **3**

Type of Nomination

Would you like to nominate a Historic Structure or an Individual/Institution? **Historic Structure**

Nominated By **Richard Stewart**

Historic Structure

Address of Structure **530 W South St Kalamazoo MI 49007**

Owner's Name **Francois Moyet**

Owner's Email Address **[REDACTED]**

Owner's Phone Number **[REDACTED]**

Owner's Address **[REDACTED]**

Did this project utilize Federal or Michigan Historic Preservation Tax Credits? **No**

Which category is this property nominated in? Choose only ONE. **Interior (owner must provide access to interior)**

Was this project Rehabilitation or Stewardship? **Stewardship (The ongoing preservation of a historic resource with necessary appropriate maintenance to preserve the character and integrity of the historic resource.)**

In a narrative form, explain why the project qualifies, and the resulting community impact. Please do not submit a list of work or specifications.

Original Upjohn House. Francois has rehabbed the Henderson Castle. Purchased this home to restore to its historic beauty and give a unique bed and breakfast opportunity to step back in time, in Kalamazoo history.

Please upload five to ten photographs showing: the project itself, important details, the project within the greater context, front and rear shots of the structure, a shot of the streetscape (buildings on both sides) and close-ups.

[530a.jpg](#)

[530l.jpg](#)

[530k.jpg](#)

[530j.jpg](#)

[530i.jpg](#)

[530h.jpg](#)

[530g.jpg](#)

[530f.jpg](#)

[530d.jpg](#)

[530c.jpg](#)

Individual or Institution

Name of Individual or Institution

Nominee's Email Address

Nominee's Phone Number

Nominee's Address

In a narrative form, tell us why this individual or institution deserves a Historic Preservation Award of Merit. What was the activity? How did it benefit preservation in Kalamazoo?

Contact Information

Name

Richard Stewart

Organization (if applicable)

Email Address

[REDACTED]

Phone Number

[REDACTED]

Address

[REDACTED]

Preferred Contact Method

[REDACTED]



FOR SALE













*This Italianate Villa
style home has hard
stone trim of Buff
Amherst from Virginia,
soft limestone porch
handrails, imported
French glass in heavy
walnut doors and
the entry floor is
Italian mosaic.*



The Eastlake style pier mirror and mantel overpiece were additions of the Upjohns in 1905.

The curtains, wall-papers and carpet throughout the home were chosen to reflect decorating at that time.

The Wood-Upjohn House
530 South St.

*Built in 1877-78 for \$25,000 by
William Wood, president of the
Michigan National Bank.*

*In 1905, William E. Upjohn, a
widower and president of the
Upjohn Co., moved in with his 3
children. In 1913, he and Carrie
Gilmore, his neighbor, were wed.
She and her youngest son, Irving,
moved into the home then.*

*In 1982, Irving Gilmore donated
the home to the Red Cross.*



*This was the "music
room" where Mr.
Gilmore enjoyed
playing his grand
piano and enter-
taining friends
and celebrities.*

Historic Preservation Awards Nomination



Submission date: **28 March 2023, 12:09PM**

Receipt number: **5**

Related form version: **3**

Type of Nomination

Would you like to nominate a Historic Structure or an Individual/Institution? **Individual/Institution**

Nominated By **Pam O'Connor**

Historic Structure

Address of Structure

Owner's Name

Owner's Email Address

Owner's Phone Number

Owner's Address

Did this project utilize Federal or Michigan Historic
Preservation Tax Credits?

Which category is this property nominated in? Choose
only ONE.

Was this project Rehabilitation or Stewardship?

In a narrative form, explain why the project qualifies, and the resulting community impact. Please do not submit a list of work or specifications.

Please upload five to ten photographs showing: the project itself, important details, the project within the greater context, front and rear shots of the structure, a shot of the streetscape (buildings on both sides) and close-ups.

Individual or Institution

Name of Individual or Institution

Community Homeworks

Nominee's Email Address

(Chris Praedel, ED)

Nominee's Phone Number

Nominee's Address

In a narrative form, tell us why this individual or institution deserves a Historic Preservation Award of Merit. What was the activity? How did it benefit preservation in Kalamazoo?

Kalamazoo's Community Homeworks (CHW) has a "small" program with huge "huge" outcomes that works at the intersection of historic preservation and affordable housing for homeowners.

CHW's Critical Home Repair Program keeps qualified low-income homeowners in their homes without incurring indebtedness. These repairs support the home, its block, neighborhood, Kalamazoo AND Michigan – and importantly, it supports homeowners' lives and gives them an opportunity to build multi-generational wealth.

In 2020, for the KHPC, Pam O'Connor investigated how an O'Connor Fund gift from the Kalamazoo Community Foundation to one of Kalamazoo's non-profit housing organizations' home repair programs could help the KHPC carry out its responsibilities and annual work plan. O'Connor ultimately recommended a \$10,000 gift to CHW for all the reasons stated above.

The KHPC concurred and the gift was made in 2022.

CHW Vision is “A community transformed by thriving families in sustainable homes.” Its Mission statement is “Empowering our low-income neighbors to maintain safe, sustainable and dignified homes.” That that is exactly what they do.

The Program focuses on health & safety issues, which, if left unresolved, eventually lead to condemnation, and often, eventual demolition. When a client requests assistance, a staff member prioritizes needed work based on the greatest threat to health & safety, degree of urgency and CHW’s existing resources. That means most of CHW’s work includes furnace and boiler maintenance/replacement, gas line repairs, electrical and wiring repairs, plumbing and water heater repairs/replacements, and other minor problems with floors, stairs and windows.

CHW construction manager Tom Tishler recently said that these repairs cost about \$3,000 - \$5,000 each. If repairs are not made at this juncture, the “slippery slope” effect begins, and health and safety issues escalate to a point where, condemnation takes place, and eventually demolition becomes the only option.

Tishler also noted that the wait for new affordable homes for purchase is not only long, but expensive. Habitat for Humanity spends about \$200,000 to build one. The economics math in this is easily understood and addresses multiple other issues at the same time, for example: Sustainability. Given the economics, why throw a good building away when it takes only a small percentage of its value to fix it? Repairing buildings limits the materials going to landfills. Economic Stability. It’s difficult for some people to imagine what things look like when you/your family become unhoused, but many of us have heard iterations – and

most of them wreak havoc on every single family member, from newborns to seniors. Historic Preservation. When one old home in a long-established block is demolished, the block begins to devalue, its diminished sense of place makes it less attractive to potential future owners - and that all paves the path for an easier decision to demolish another home. The “slippery slope” begins. Whether it takes 3 years or 3 decades, it’s still the most catastrophic thing that can happen to families, homes, blocks, neighborhoods and communities.

Context is Important. It’s an essential ingredient in supporting thriving communities. As neighborhood context unravels, leaving three homes in a block that originally had eight, holding neighborhoods and residents together becomes much more difficult.

Conclusion. CHW’s Critical Home Repairs preserve, stabilize Kalamazoo neighborhoods and families on many levels. CHW works effectively to stop the downward spiral of old, sometimes historically designated homes that has continued nearly unabated in Kalamazoo, Michigan and the nation for decades. As such, CHW work can only be described as a best homeowner repair program practice which could/should be replicated in every community with homeowners in need.

Preservationists already know the positive outcomes of programs like this – and by presenting CHW with a Government/Institution award – other Michigan communities may also learn about some very specific benefits of Historic Preservation – disguised as a Home Repair Program.

Name	Pam O'Connor
Organization (if applicable)	
Email Address	
Phone Number	
Address	
Preferred Contact Method	

Historic Preservation Awards Nomination



Submission date: **31 March 2023, 11:46AM**
Receipt number: **10**
Related form version: **3**

Type of Nomination

Would you like to nominate a Historic Structure or an Individual/Institution? **Individual/Institution**

Nominated By **Barbara Brose**

Historic Structure

Address of Structure

Owner's Name

Owner's Email Address

Owner's Phone Number

Owner's Address

Did this project utilize Federal or Michigan Historic Preservation Tax Credits?

Which category is this property nominated in? Choose only ONE.

Was this project Rehabilitation or Stewardship?

In a narrative form, explain why the project qualifies, and the resulting community impact. Please do not submit a list of work or specifications.

Please upload five to ten photographs showing: the project itself, important details, the project within the greater context, front and rear shots of the structure, a shot of the streetscape (buildings on both sides) and close-ups.

Individual or Institution

Name of Individual or Institution	David S. Brose, Ph.D.
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Nominee's Email Address	
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Nominee's Phone Number	
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Nominee's Address	
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In a narrative form, tell us why this individual or institution deserves a Historic Preservation Award of Merit. What was the activity? How did it benefit preservation in Kalamazoo?

The city's website didn't provide the historic preservation information I was looking for, but it did introduce me to the call for Archaeology Award nominees. Therefore I nominate David S. Brose, Ph.D.. for this year's Archaeology Award of Merit.

As his partner I have attended his lectures, read his reports, and attended lots of his public presentations. I'm familiar with his knowledge; ability to communicate; and belief that knowing our past is important and enlightening. He believes history is as exciting as fiction!

Since moving to Kalamazoo in in 2008, David has:
-- served on the Historic Preservation Commission (Two terms + and extra year), providing archaeological guidance to the Commission, and required documentation for the City's urban block grant applications

-- chaired Friends of Historic East Campus, and

following WMU's disappointing "substantial alterations and extensive demolition" (and subsequent removal from the National Register of Historic Places) steered FOHEC's interests and funding to support East Campus projects at the Zhang Legacy Collections Archives (latest project to be officially celebrated soon)

- developed and submitted A Kalamazoo Historic Preservation Commission Program for Section 106 Urban Archaeology

- provided expertise to the Match-E-Be-Nash-She-Wish Band of Pottawatomis Indians prior to their employment of a Tribal Historic Preservation Officer

- developed and presented interesting, informative, and enthusiastically received talks for New Year's Eve events; church groups, neighborhood association meetings, Art Break at KIA, Rotary, Michigan Historic Preservation Network, and others

- presented reports to the City Commission (on several occasions), the Kalamazoo County Public Art Commission, and the Match-E-Be-Nash-She-Wish Tribal Council

- promoted non-invasive underground exploration of the Bronson Park Mound; provided archaeological interpretation of Ground Penetrating Radar data

- served as co-chair of Bronson Park Public Education Committee

- served as co-chair of the Kalamazoo Reservation Public Education Committee

Name

Barbara Brose

Organization (if applicable)

Email Address

[REDACTED]

Phone Number

[REDACTED]

Address

[REDACTED]
[REDACTED]

Preferred Contact Method

[REDACTED]

COMMUNITY HOMEWORKS Preservation Agreement
Kalamazoo Historic Preservation Commission
O'Connor Fund for Historic Preservation in the City of Kalamazoo

This agreement is made the _____ day of _____, by the Kalamazoo Historic Preservation Commission ("KHPC") and the gift recipient, Community Homeworks ("CHW") for the purpose of making repairs on residential, qualified low-income homeowner-occupied residences in the City of Kalamazoo, under its Critical Repair program. The KHPC has determined CHW is an appropriate and qualified recipient of this gift for this important work.

In consideration of the sum of \$10,000 received as a gift from the O'Connor Fund for Historic Preservation in The City of Kalamazoo (O'Connor Fund), at the Kalamazoo Community Foundation, CHW hereby agrees to the following requirements when carrying out its work as a result of this gift:

1. CHW will use this gift exclusively to make repairs to buildings under its Critical Repair program.
2. Homes that receive repairs as a result of this gift must be 50 years or older.
3. Repairs to homes that receive Critical Repairs as a result of this gift will be made in a manner consistent with the *Secretary of the Interior's Standards for Rehabilitation* (Attachment #1);
4. Repairs to homes that receive Critical Repairs as a result of this gift must be approved in advance, in writing, by the City of Kalamazoo Historic Preservation Coordinator, though a process agreed upon by both parties.
5. CHW will acknowledge financial support from the O'Connor Fund and KHPC in ALL media generated (including website and exterior signage) for work carried out as a result of this gift will use only the statements and logos. (Attachment #2)
6. CHW agrees to adhere to ALL City of Kalamazoo ordinances; including as they relate to Chapters 18 and 18A on Non-Discrimination and Fair Housing (Attachment #3)
7. CHW will provide an annual report to the KHPC which provides information about the projects and owner demographics for which funds from this gift were expended.
8. This agreement shall be enforceable in specific performance by a court of competent jurisdiction.

9. It is understood and agreed by the parties hereto that if any part, term, or provision of this agreement is held to be illegal by the courts, the validity of the remaining portions or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the agreement did not contain the particular part, term, or provision held to be invalid.

Grantor: Kalamazoo Historic Preservation Commission and the O'Connor Fund for Historic Preservation at the Kalamazoo Community Foundation

Name and title of Authorized KHPC Representative Kyle Hibbard, Chair

Signature of Authorized KHPC Representative

Date

Gift Recipient: Community Homeworks/Critical Repair Program

Authorized Representative: Kyle Gulau, President

Signature of Authorized Representative

Date

Chris Praedel, Executive Director

Signature of Authorized Representative

Date

Chapter 18

Non-Discrimination

Article I

General Provisions

§18-1 Policy.

- A. It is the intent of the City of Kalamazoo that no person be denied the equal protection of the laws; nor shall any person be denied the enjoyment of their civil rights.
- B. The prohibitions against discrimination provided for in this Chapter do not preempt Federal or State law, but are intended to supplement existing State and Federal civil rights law to prohibit discrimination in the areas of employment, public accommodations, and housing not addressed at State or Federal law, especially in regards to actions taken because of an individual's source of income, status as a victim of domestic violence, prior arrests, or conviction record; provided, however, this Chapter shall be construed and applied in a manner consistent with First Amendment jurisprudence regarding the freedom of speech and exercise of religion.

§18-2 Definitions

As used in this Chapter, the following words and phrases have the following meanings:

AGE

Chronological age.

ARREST RECORD

Information indicating that a person has been apprehended, detained, taken into custody, held for investigation, or restrained by a law-enforcement department or military authority due to an accusation or suspicion that the person committed a crime. Arrest record includes pending criminal charges, where the accusation has not yet resulted in a final judgment, acquittal, conviction, plea, dismissal, or withdrawal of charges.

CITY MANAGER

The City Manager of the City of Kalamazoo or his or her designee.

CONTRACTOR

A person who by contract furnishes services, materials or supplies to the City. "Contractor" does not include persons who are merely creditors or debtors of the City, such as those holding the City's notes or bonds or persons whose notes, bonds or stock is held by the City.

CONVICTION RECORD

Information regarding the history of criminal convictions of an individual in any jurisdiction, including time served in prison, jail, juvenile detention, probation, parole, rehabilitation or diversion programs, and placement on a sex offender registry.

DISCRIMINATE

To make a decision, offer to make a decision, or refrain from making a decision based in whole or in part on an individual's actual or perceived race, color, religion, national origin, sex, age, height, weight, marital status, physical or mental disability, family status, sexual orientation or gender identity, educational affiliation, source of income, status as a victim of domestic violence, governmental identification method, arrest record and conviction record (collectively "protected classes").

A. Discrimination based on sex includes sexual harassment, which means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:

(1) Submission to such conduct or communication is made a term or condition, either explicitly or implicitly, to obtain employment, public accommodations, or housing.

(2) Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting such individual's employment, public accommodations or housing.

(3) Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or housing, or creating an intimidating, hostile, or offensive employment, public accommodations, or housing environment.

B. Discrimination based on sex includes discrimination based on an actual or perceived sexual orientation or gender identity of an individual

C. Discrimination based on actual or perceived physical or mental limitation includes discrimination because of the use by an individual of adaptive devices or aids.

D. Discrimination also includes the use of facially neutral policies or practices that have a disparate impact on members of a protected class.

E. Discrimination also includes conduct directed at another based on their membership in a protected class which creates an intimidating, hostile or offensive environment regarding employment, public accommodation or housing.

EDUCATIONAL AFFILIATION

The fact of being enrolled, or not enrolled, in any educational institution.

EMPLOYER

Any person employing one or more individuals engaged in a lawful business or enterprise but does not include the employment of an individual by his or her parent, sibling, spouse, or child.

EMPLOYMENT AGENCY

A person who undertakes to procure employees for an employer or procures opportunities for individuals to be employed by an employer.

FAMILY STATUS

A. An individual who is pregnant, or

B. One or more individuals under the age of 18 residing with a parent or other person having custody or in the process of securing legal custody of the individual or individuals or residing with the designee of the parent or other person having or securing custody, with the written permission of the parent or other person.

GENDER IDENTITY

A person's actual or perceived gender, including a person's self-image, appearance, expression, or behavior, whether or not that self-image, appearance, expression, or behavior is different from that traditionally associated with the person's sex as assigned at birth as being either female or male.

GOVERNMENTAL IDENTIFICATION METHOD

The legal form of identification that an individual may use, including any valid, government-issued identification, such as a State ID card, Federal immigration documentation, municipal or county ID card, or passport issued by a foreign country.

INDIVIDUAL

A human being, as distinguished from a person, as defined herein.

LABOR ORGANIZATION

An organization of any kind or structure in which employees participate or are members and which exists for the purposes, in whole or part, of dealing with employers concerning the terms and conditions of employment of its participants or members, whether or not such organization is subordinate to or affiliated with a national or international labor organization.

MARITAL STATUS

The state of being married, single, widowed, divorced, or separated.

PERCEIVED

Refers to the perception of the person who acts, and not to the perception of the person for or against whom the action is taken.

PERSON

An individual, association, partnership, agency, organization, or corporation, public or private including the employees, members and officers thereof.

PHYSICAL OR MENTAL DISABILITY

A determinable physical or mental characteristic resulting from disease, injury, congenital condition of birth, or functional disorder and is unrelated to one's ability to safely perform the work involved in jobs or positions available to such person for hire or promotion; or unrelated to one's ability to acquire, rent and maintain property; or unrelated to one's ability to utilize and benefit from the goods, services, activities, privileges and accommodations of a place of public accommodation "Physical or mental disability" does not include any condition caused by the current illegal use of a controlled substance, the use of alcohol liquor, or use of marijuana by an individual.

PLACE OF PUBLIC ACCOMMODATION

An educational, governmental, health, entertainment, cultural, recreational, refreshment, transportation, financial institution, business or facility of any kind, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.

PREGNANT

The condition of carrying a developing human embryo in the uterus.

RELIGIOUS ORGANIZATION

An organization, church, group, or body of communicants that is organized not for pecuniary profit that regularly gathers for worship and religious purposes and includes a religious-based private school that is not organized for pecuniary profit.

RETALIATION

An adverse action taken against an individual who files or participates in a complaint investigation under this Chapter.

SEXUAL ORIENTATION

Male or female homosexuality, heterosexuality or bisexuality, whether by orientation or practice. Sexual orientation does not include the physical or sexual attraction to a minor by an adult.

Article II Conduct Prohibited

§ 18-3 Discriminatory public accommodation practices.

- A. Except as otherwise provided in this Chapter, no person shall discriminate in making available full and equal access to all goods, services, activities, privileges, and accommodations of any place of public accommodation.
- B. Public accommodations must be made accessible to individuals with disabilities in compliance with State and federal law and regulations.
- B. Nothing in this Chapter permits or requires access to any place of public accommodation for

the purpose or intent of engaging in criminal conduct, offensive or disorderly conduct, or conduct which represents a threat to the public health, safety, or welfare.

- C. Nothing in this Chapter shall require the construction or provision of unisex, single-user restrooms, changing rooms, locker rooms, or shower facilities.

§ 18-4 Discriminatory employment practices.

Except as otherwise provided in this Chapter:

- A. No employer shall discriminate in the employment, compensation, work classifications, conditions or terms, promotion or demotion, or termination of employment of any person.
- B. No labor organization shall discriminate in limiting membership, conditions of membership, or termination of membership of any person in any labor union or apprenticeship program.
- C. No employment agency shall discriminate in the procurement or recruitment of any person for possible employment with an employer.

§ 18-5 Nondiscrimination by City contractors.

- A. All contractors proposing to do business with the City of Kalamazoo shall satisfy the nondiscrimination administrative policy adopted by the City Manager in accordance with the guidelines of this section.
- B. A contractor shall, as a condition of being deemed a responsible bidder, at the time of its submission to the City in responding to an invitation for bids or request for proposals, certify in writing that it complies with the provisions of this Chapter.
- C. All City contracts shall provide that breach of the obligation not to discriminate is a material breach of the contract. The contractor shall be liable for any costs or expenses incurred by the City in obtaining from other sources the work and services to be rendered or performed or the goods or properties to be furnished or delivered to the City under the contract.

§ 18-6 Discriminatory effects.

No person shall adopt, enforce or employ any policy, practice, or requirement which has the effect of creating unequal opportunities according to actual or perceived race, color, religion, national origin, sex, age, height, weight, family status, marital status, physical or mental disability, educational association, source of income, status as a survivor of domestic violence, governmental identification method, arrest record, or conviction history for a person to obtain employment, public accommodation, or housing, except for a bona fide business necessity. Such a bona fide business necessity does not arise due to a mere inconvenience or because of suspected or actual objection to such a person by neighbors, customers, or other persons but shall require a demonstration that the policy or requirement is reasonably necessary to the normal operation of the person's business.

§ 18-7 Other prohibited practices.

- A. No person shall adopt, enforce or employ any policy or requirement, or publish, post or broadcast any advertisement, sign or notice which discriminates or indicates discrimination in providing employment, public accommodations, or housing.

- B. No person shall discriminate in the publication or distribution of advertising material, information or solicitation regarding *housing*, employment or public accommodations.
- C. No agent, broker, labor organization, employment agency or any other intermediary shall discriminate in making referrals, listings or providing information with regard to employment, public accommodations, or housing. A report of the conviction of any such person for a violation of this Chapter shall be made to the applicable licensing or regulatory agency for such person or business.
- D. No person shall coerce, threaten or retaliate against a person for making a complaint or assisting in the investigation regarding a violation or alleged violation of this Chapter, nor require, request, conspire with, assist or coerce another person to retaliate against a person for making a complaint or assisting in an investigation.
- E. No person shall conspire with, assist, coerce or request another person to discriminate in any manner prohibited by this Chapter.
- F. No person shall use any history information other than convictions contained in a criminal record.

§ 18-8 Exceptions.

Notwithstanding anything contained in this Chapter, the following practices shall not be violations of this Chapter:

- A. To engage in a bona fide effort to establish an affirmative action program to improve opportunities in employment for minorities and women consistent with applicable State and
- B. To discriminate based on a person's age when such discrimination is required by State, Federal, or local law.
- C. To refuse to enter into a contract with an unemancipated minor.
- D. To refuse to admit to a place of public accommodation serving alcoholic beverages a person under the legal age for purchasing alcoholic beverages.
- E. To refuse to admit persons under 18 years of age to a business providing entertainment or selling literature which the operator of said business deems unsuitable for minors.
- F. For an educational institution to limit the use of its facilities to those affiliated with such institution.
- G. For a religious organization to restrict employment opportunities for officers, religious instructors and clergy to individuals of that denomination. It is also permissible for a religious organization to restrict employment opportunities, educational facilities, and dormitories that are operated as a direct part of its religious activities to persons who are members of the denomination involved or who agree to conform to the moral tenets of that religious organization

- H. To provide discounts on products or service to students, or on the basis of age.
- I. For a governmental institution to restrict any of its facilities or to restrict employment opportunities based on duly adopted institutional policies that conform to Federal and state laws and regulations.
- J. To restrict participation in an instructional program, athletic event or on an athletic team on the basis of age, sex, height, or weight consistent with applicable state or federal laws and regulations.
- K. To restrict membership in a private club that is not open to the public except to the extent that private clubs which permit members to invite guests on the premises are not exempted as it concerns a member's guest.
- L. To the use of marital status or family status limitations in a health or pension plan if such limitations conform to Federal and State laws and regulations.

Article III Enforcement

§ 18-9 **Complaint Process; Information and Investigation**

- A. Any person claiming to have been discriminated against in violation of this Chapter or Chapter 18A “Fair Housing” must file a signed, written complaint with the City Manager or the designee of the City Manager setting forth the details, including the names of the parties involved, contact information for the complainant, dates, witnesses, and other factual matters relevant to the claim, within 91 days of the incident forming the basis of the complaint. Complaints not filed with the specified timeframe will not be considered.
- B. The City Manager or the designee of the City Manager, with the assistance of the City Attorney or designee of the City Attorney, will review the complaint to determine its relevance to applicable city ordinances. Upon completion of the review, the complaint will be addressed through one of the following actions:
 - (1) Referral of the complaint to an appropriate state, federal or local authority for investigation. If referred to an external agency, the complainant will receive written notification of the referral by the City.
 - (2) Conduct an investigation of the complaint with the assistance of the City Attorney’s Office and personnel from any other City departments.
 - (3) Dismiss the complaint, if after review with the City Attorney’s Office, the allegations do not constitute a violation of city ordinances.
- C. In the course of the investigation, the City Manager or the designee of the City Manager may request a person to produce books, papers, records or other documents which may be relevant to the complaint being investigated. If said person does not comply with such request, the City Attorney may issue subpoenas for the production of materials, and if

necessary, apply to the Kalamazoo County Circuit Court for an order requiring production of said materials.

- D. No person shall provide false information to any authorized City employee investigating a complaint initiated under this section. Violation of this section is a misdemeanor.
- E. Action on the complaint will be completed within 91 days of receipt of the complaint and the parties will be notified in writing if additional time is necessary.
- E. After the completion of an investigation, the City Manager shall give written notice of the results of the investigation to the Civil Rights Board, the person who filed the complaint, and the person accused of the violation. If the investigation establishes that a violation of City ordinances occurred, the City Manager or his/her designee may attempt to resolve the matter by a voluntary settlement agreement between the involved parties without legal action.

§18-10 Voluntary Settlement Agreements.

- A. Cases may be resolved by a voluntary settlement, agreed to by both parties, or by an administrative closure, if the request for settlement is withdrawn or a complaint is filed in court or with another administrative agency based on the same incident of discrimination.
- B. If the investigation establishes probable cause of discrimination, an offer to settle the matter will take place as soon as possible. The City may enter into enforceable agreements with a respondent to terminate the discriminatory conduct and reverse the effects of past discrimination.
- C. The respondent will be asked to 1) cease and desist from the specific discriminatory act or practice involved in the complaint, and 2) implement whatever actions and policies are necessary to remedy the discrimination uncovered in the investigation.
- D. Violations of voluntary settlement agreements are violations of this Chapter, subjecting the respondent to prosecution and equitable action to enforce the agreement.

§ 18-11 Injunctions

The City Attorney may commence a civil action to obtain injunctive relief to prevent discrimination prohibited by this chapter, to reverse the effects of such discrimination or to enforce a voluntary settlement agreement.

§ 18-12 Prosecution.

- A. Prosecution for violation of this Chapter may be initiated by complaint of the affected person on the basis of a violation of a voluntary settlement agreement or at the direction of the Civil Rights Board on the basis of an investigation undertaken by the City Manager.
- B. Violation of this chapter shall be prosecuted by the City Attorney as a municipal civil infraction pursuant to the provisions of the Revised Judicature Act of 1961, MCLA 600.101 et seq.

§ 18-13 Penalties.

- A. A violation of any provision of this chapter is a municipal civil infraction punishable by a fine of not more than \$2000, plus all costs of the action. The court may issue and enforce any judgment, writ, or order necessary to enforce this chapter. This may include reinstatement, payment of lost wages, hiring and promotion, sale, exchange, lease or sublease of real property, admission to a place of public accommodation, and other relief deemed appropriate.
- B. Each day upon which a violation occurs shall constitute a separate and new violation.
- C. A violation proved to exist on a particular day shall be presumed to exist on each subsequent day unless it is proved that the violation no longer exists.
- D. Nothing contained in this chapter shall be construed to limit in any way the remedies, legal or equitable, which are available to the City or any person for the prevention or correction of discrimination.

Article IV

Civil Rights Board

§ 18-14 Civil Rights Board creation; composition.

- A. To implement the general policy and purposes set forth in this Chapter, the City Commission establishes a Civil Rights Board.
- B. The Civil Rights Board consists of seven voting members appointed by the Mayor and approved by the City Commission and two ex-officio members who shall have no vote, but who may otherwise fully participate in any meeting of the Board.
- C. Members appointed to the Board shall be residents of the City reflecting and representing the diversity of the Kalamazoo community and be able to demonstrate experience in civil rights issues and law. Members to the Board may be appointed who are not residents of the City, not to exceed two members, when there is a valid reason for such appointment, such as the member works in the City, or has special expertise to carry out the duties and responsibilities of the Board.

§ 18-15 Appointment and terms of Board members; filling of vacancies; termination of appointments.

- A. Except for the initial appointments, members of the Board are appointed for a term of three years. The initial appointments to the Board will consist of 3 members appointed for a 3-year term, 2 members appointed for a 2-year term and 2 members appointed for a 1-year term. Members of the Board may serve up to two consecutive terms. Vacancies may be filled by the same appointment procedure for the remainder of an unexpired term.
- B. The ex officio Board members shall be appointed by the Mayor and approved by the City Commission. One member shall be a City Commissioner and the other member shall be a City officer or employee, recommended by the City Manager, but who shall not be a City

Commissioner or the City Manager.

§ 18-16 Election of Board officers.

The Board shall elect a Chairperson for a term of 1 year, with no limit on the number of terms a member may serve as Chairperson, to conduct its meetings and as it may desire, elect a Vice Chairperson to act in the absence of the Chairperson, from its members. Rules for the conduct of Board meetings shall be stated in the bylaws, as determined by the Board and approved by the City Commission.

§ 18-17 Secretary to Board; administrative support.

The City Manager shall designate someone other than himself/herself to serve as Secretary to the Board and shall provide such administrative support as may be required.

§ 18-18 Board subject to State law.

Meetings of the Board shall be conducted in compliance with the Michigan Open Meetings Act, MCLA § 15.261 et seq. and its records shall be available to the public under the Michigan Freedom of Information Act, MCLA § 15.231, et seq.

§ 18-19 Duties and responsibilities of Board.

The Board shall exercise its authority, functions, powers, and duties in accordance with all ordinances, rules, regulations, orders, and city charter of the City of Kalamazoo. The authority, duties, and responsibilities of the Board shall include the following:

- A. Foster mutual understanding and respect among the people in the City and discourage and prevent unlawful discriminatory practices toward the protected classes described in this Chapter.
- B. Review claims of discrimination brought by residents of the City of Kalamazoo following investigation of the claim by the City Manager or the designee of the City Manager.
- C. Review and analyze of conditions, practices, attitudes, policies, and other factors within Kalamazoo that contribute to discriminatory impact and further inequities, as well as evaluating the impact of anti-discrimination efforts.
- D. Make recommendations to the City Commission and City Manager on ways to improve City programs and ordinances to eliminate discrimination or remove effects of past discrimination.
- E. Engage in public awareness-building activities to ensure residents are informed of increased local protections and the role of the Board, including issuing an annual report of the activity of the Board.
- F. Engage with federal, state, and local agencies to assist in addressing issues of discrimination in the City.
- G. The Board shall provide an annual report to the City Commission regarding complaints received and actions taken.

Chapter 18A Fair Housing

Article I General Provisions

§18A-1 Policy

- A. It is the policy of the City of Kalamazoo in the exercise of its municipal authority for the protection of the public health, safety, and general welfare, that all residents be assured of an equal opportunity to live in adequate housing facilities and prohibit unlawful discriminatory practices in housing and real estate transactions.
- B. The prohibitions against discrimination provided for in this Chapter do not preempt Federal or State law, but are intended to supplement existing State and Federal civil rights law to prohibit discrimination and practices in the area of housing not addressed at State or Federal law, especially in regards to actions taken because of an individual's source of income, status as a victim of domestic violence, prior arrests, or conviction record; provided, however, this Chapter shall be construed and applied in a manner consistent with First Amendment jurisprudence regarding the freedom of speech and exercise of religion.

§18A-2 Definitions

- A. Any term used in this Chapter shall have the definition as provided in Chapter 18, "Non-Discrimination".
- B. As used in this chapter the following words and phrases have the following meanings:

ACTUAL EVICTION

The completed legal process of a landlord removing a tenant from a rental property.

ADVERSE ACTION

To evict an individual, fail or refuse to rent or lease real property to an individual, or fail or refuse to continue to rent or lease real property to an individual, or fail or refuse to add a household member to an existing lease, or reduce any tenant subsidy. The adverse action must relate to property located in the City of Kalamazoo.

AGENT

A person acting on behalf of a housing facility entity.

APPLICANT

An individual applying to rent or lease a housing facility and an individual applying to be

added to an existing housing facility lease.

DIRECTLY-RELATED CONVICTION

The conduct for which the person was convicted or that is the subject of an unresolved arrest that has a direct and specific negative bearing on the health, safety, or right to peaceful enjoyment of the premises by persons and includes one or more of the following offenses:

- A. Any conviction where State or Federal law prohibits the applicant from being eligible for public housing; or
- B. Any conviction that leads to the applicant becoming a lifetime registered sex offender.

EVICTION FILING

A legal filing intended to start the process in which a landlord removes a tenant from a rental property.

EVIDENCE OF REHABILITATION

Includes but is not limited to, a person's satisfactory compliance with all terms and conditions of parole or probation (however, an inability to pay fines, fees and restitution due to indigence shall not be considered regarding compliance with terms and conditions of parole or probation or both); employer recommendations, especially concerning a person's post-conviction employment; educational attainment or vocational or professional training since a conviction, including training received while incarcerated; completion or active participation in rehabilitative treatment, such as alcohol or drug treatment; letters of recommendation from community organizations, counselors or case managers, teachers, community leaders, or probation or per parole officers who have observed the applicant since their conviction; and the length of time since conviction or release from incarceration. Successful completion of parole, probation, mandatory supervision, or post-release community supervision shall create a presumption of rehabilitation.

HOUSING FACILITY

Any dwelling unit or facility used or intended or designed to be used as the home, domicile or residence of one or more persons, including, but not limited to, a house, apartment, rooming house, housing cooperative, homeless shelter, hotel, motel, tourist home, retirement home or nursing home.

LANDLORD

Any owner, lessor, sublessor, managing agent, or company, or any other person that rents, leases, approves the rental or lease of a housing facility, or makes tenancy decisions.

PUBLIC HOUSING

Rental housing facilities developed with federal, state, or local government (City or county) funding or which pays an annual service charge in lieu of taxes and is intended for eligible low-income individuals and families, the elderly, and persons with disabilities.

REAL ESTATE TRANSACTION

The sale, exchange, rental or lease of real property.

RENTAL APPLICATION FEE

Any fee paid by an applicant to a landlord to permit a background check of the applicant before or after a leasehold contract is created.

SOURCE OF INCOME

Lawful verifiable income derived from wages, salaries or other compensation for employment, money derived from a gift or bequest, contract (including insurance proceeds), loan, or the settlement or award for a claim for personal injury. It also includes but is not limited to social security benefits, supplemental security income, unemployment benefits, retirement income, alimony, child support, Federal Housing Choice Voucher, Local Housing Assistant Fund Millage, or any other housing subsidy.

VICTIM OF DOMESTIC VIOLENCE

An individual against whom any of the following acts were perpetrated by a person that was not an act of self-defense:

- A. Causing or attempting to cause physical or mental harm to a family or household member;
- B. Placing a family or household member in fear of physical or mental harm;
- C. Causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress; or
- D. Engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, threatened, harassed, or molested.
- E. Conduct constituting sexual assault as described in MCL 750.520a to 750.520l
- F. Conduct constituting stalking as defined at MCL 750.411h and 750.411i.

Article II**Fair Housing Standards****§ 18A-3 Discriminatory housing practices.**

Except as otherwise provided in this Chapter:

- A. No person shall discriminate in leasing, selling or otherwise making available any housing facilities.
- B. No person shall discriminate in the terms, conditions, maintenance or repair in providing any housing facility.
- C. No person shall refuse to lend money for the purchase or repair of any real property or insure any real property solely because of the location in the City of such real property.

- D. No person shall promote real estate transactions by representing that changes are occurring or will occur in an area with respect to any protected classification.
- E. No person shall place a sign or other display on any real property which indicates that the property is for sale or has been sold when it is not for sale or has not recently been sold.
- F. No landlord shall have or enforce a blanket policy that prohibits renting to a person based on eviction filings or actual evictions, or outright bans prospective tenants with prior actual evictions or eviction filings. Landlords must carefully consider the reason for and length of time since an actual eviction of, or eviction filing against a rental applicant.
- G. No person is permitted to establish an outright ban on any aspect of housing because of a conviction record.
- H. A landlord may not refuse or base an adverse action, in whole or in part on either an applicant or tenant with the status as a victim of domestic violence or having an early lease termination under MCL 554.601b.
- I. No person shall fail to account for any tenant or prospective tenant's entire source of income when using a financial income standard for entering into or renewing a tenancy or lease for a housing facility.
- J. A landlord may not require an individual who receives housing assistance of dedicated rent via voucher or any other housing subsidies to earn any more than what is needed to pay for utilities as a requirement for tenancy.

§18A-4 Rental housing-prohibition on criminal record inquiries

- A. No person shall use any criminal history information, other than convictions contained in a conviction record, to deny an individual any aspect of housing. An individual's conviction record may only be used to deny the individual housing if the landlord considers an applicant's conviction record taking into account such factors as evidence of rehabilitation, the length of time since conviction, the severity of a criminal conviction, the relevance of the conviction to housing, and any circumstances surrounding the conviction relating to disability or domestic violence. This provision shall not bar a landlord from considering criminal conduct occurring on the premises of the landlord's property, regardless of whether that conduct resulted in conviction.
- B. It is the responsibility of a landlord to ensure that its employees and agents comply with this Section.
- C. Regarding applicants and their household members, a landlord may base an adverse action in whole or in part on directly-related convictions that have a direct and specific negative bearing on the safety of persons or real property, given the nature of the housing, and includes one or more of the following:
 - (1) Any conviction where State or Federal law prohibits the applicant from being eligible for public housing; or

- (2) Any conviction that leads to the applicant becoming a lifetime registered sex offender.
- D. The landlord shall promptly notify the applicant of any final adverse action based upon their conviction history or contents of the criminal background check.
- E. It shall be unlawful for any landlord to engage in a communication, including the production or dissemination of advertisements, related to held housing that expresses, directly or indirectly, that any person with an arrest record or conviction record will not be considered for the rental or lease of real property or may not apply for the rental or lease of real property, except as required by local, State or Federal law. For purposes of this subsection, “engage in a communication” includes, but is not limited to, making a verbal statement or producing or disseminating any solicitation, advertisement or signage.
- F. A landlord shall state in all solicitations or advertisements for the rental or lease of eligible housing, or made on their behalf, that a landlord will consider qualified applicants consistent with this Chapter. This language shall include, at a minimum, the following statement:

“The rental or lease of this property must comply with the City of Kalamazoo ordinance regulating the use of criminal background checks as part of the tenant screening process to provide individuals with criminal backgrounds a fair opportunity. For additional information please contact the City of Kalamazoo Civil Rights Board.”

§18A-5 Rental application fees

- A. A rental application fee may not exceed the actual cost of the background check process which may include national, state and local criminal histories, credit reports, rental history records, reference checks, eviction records and employment verification obtained by a landlord to screen an applicant. An application fee shall not include administrative fees, except for actual reasonable costs necessarily incurred to check the rental history and employment verification of an applicant. Landlords must provide applicants an itemized explanation of an application fee. A landlord must provide an applicant with any reports or correspondence generated as a result of the screening process to the extent permitted or required by State and Federal law.
- B. Before receiving a rental application fee, a landlord must provide a written notice to the applicant setting forth the criteria on which the application will be judged and the amount of the application fee that will be charged. The amount received shall not exceed the amount disclosed.
- C. Landlords shall only advertise housing facilities, receive applications, screen applicants and accept rental application fees for properties that are readily available for rent and occupancy unless an applicant consents in writing to being added to a waiting list. A housing facility is no longer considered available if a different applicant has been offered the housing facility and accepted and has placed a deposit on the housing facility. For purposes of this section, a housing facility may be considered available if a tenant of the unit has declared they will not be renewing the lease. Landlords shall document the date and time that deposits are placed

housing facilities.

- D. A landlord may collect and hold an application fee for an available housing facility for up to 30 calendar days so long as the landlord provides a written receipt to the applicant. If a housing facility becomes no longer available after applications and application fees are received but before some applications have undergone screening process, all application fees associated with unscreened applications must be returned to the respective applicants within 14 calendar days from the date the housing facility is no longer available for rent.
- E. In all cases where an applicant is not offered the housing facility applied for, the landlord shall provide the applicant with a written statement explaining the reason or reasons that the housing facility was not offered to the applicant. The explanation must provide the applicant with a clear statement of the reason or reasons that the housing facility was not offered along with any documentation substantiating the reason or reasons.
- F. If an applicant believes the application fee exceeds the actual cost of the screening process or believes that the reasons for denial deviate from the disclosed criteria for evaluating the application, or believes that the landlord has violated any other requirement of this section, the applicant or their representative may, within 30 days of receipt of the denial, file a written complaint with the City Manager or the City Manager's designee. For purposes of this section, a denial means any circumstances which the applicant is not offered the housing facility.
- G. If it is determined that a landlord has violated this section, in addition to any fines imposed as a result of a municipal civil infraction, the rental property owner must refund the entire application fee to the applicant including, but not limited to, situations in which the screening process has not occurred or has not been documented sufficiently prior to denial.

§18A-6 Exercise of rights protected; retaliation prohibited

- A. It shall be unlawful for a landlord or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under this Chapter.
- B. It shall be unlawful for a landlord to interrupt, terminate, or fail to refuse to initiate or conduct a transaction involving the rental or lease of eligible housing, including falsely representing that such property is not available for rental or lease, or otherwise take adverse action against a person in retaliation for exercising rights protected under this Chapter. Such rights include but are not limited to:
 - (1) the right to file a complaint or inform any person about a landlord's alleged violation of this Chapter;
 - (2) the right to inform the administering agency about a landlord's alleged violation of this Chapter;
 - (3) the right to cooperate with the administering or enforcing agencies or other persons in the investigation or prosecution of any alleged violation of this Chapter; or

- (4) the right to inform any person of their rights under this Chapter.
- C. Protections of this section shall apply to persons who mistakenly but in good faith allege violations of this Chapter
- D. Taking adverse action against a person within 90 days of the exercise of one or more than rights described in this section shall create a rebuttable presumption in the administering agency's investigation of such adverse action was taken in retaliation for the exercise of those rights.

§18A-8 Exceptions

The following practices are not violations of this chapter:

- A. For a religious organization to restrict the occupancy of any of its housing facilities or accommodations which are operated as a direct part of its religious activities to persons of the denomination involved or who agree to conform to the moral tenets of that religious organization. This does not include housing facilities or homeless shelters that are available to the public.
- B. For the owner of an owner-occupied, one-family or two-family dwelling, or a housing facility or public accommodation facility, respectively, devoted entirely to the housing and accommodation of individuals of one sex, to restrict occupancy and use based on sex.
- C. To limit occupancy in a housing project or to provide public accommodations or employment privileges or assistance to persons of low income, persons over 55 years of age or disabled persons.
- D. To discriminate in any arrangement for the shared ownership, lease or residency of a housing facility
- E. In the rental of housing facilities in a building which contains dwelling units for not more than two families living independently of each other if the owner of the building or a member of the owner's family resides in one of the dwelling units, or to the rental of a room or rooms in a single-family dwelling by an individual if the lessor or a member of the lessor's family resides in the dwelling.

§18A-9 Landlord records

- A. Unless prohibited by Federal or State law, a landlord shall maintain and retain records of tenant application forms, and other pertinent data and records required in this Chapter, for a minimum of one year from the date of application, and shall allow the administering or enforcing agencies to access such records, with appropriate notice and at a mutually agreeable time, to monitor or verify compliance with the requirements of this Chapter.
- B. At no time shall the administering or enforcing agencies require a landlord to provide any information or documents the disclosure of which would violate local, State or Federal law.

C. Anytime a landlord does not maintain or provide adequate records documenting compliance with this Chapter or does not allow reasonable access to such records, the Office of the Chief Financial Officer or other City department or agency shall have the authority to provide all nonfinancial information necessary to fill the administering or enforcing agencies responsibilities under this Chapter subject to confidentially provisions of this Chapter and all applicable laws.

Article III Enforcement

§18A-10 Notices

The City Manager or his or her designee shall publish on the City website and make available to landlords, in all languages spoken by more than 5% of the City population, a notice suitable for posting that informs housing applicants of their rights under this Chapter. This notice shall be updated on or before December 1 of any year in which there is a change in the language is spoken by more than 5% of the City population.

§18A-11 Remedies

The provisions of this Chapter are enforced through any of the mechanisms set forth at Article III of Chapter 18, Sections 18-9 through 18-13.

Standards for Rehabilitation *The CHW agreement requires the use of these standards*

Please note: For the Historic Preservation Tax Incentives Program use the Standards for Rehabilitation that are codified separately in 36 CFR 67 and are regulatory for the review of rehabilitation work for that program. The Standards will be applied taking into consideration the economic and technical feasibility of each project.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



Historic Preservation Commission Staff Report

City of Kalamazoo

TO: The Kalamazoo Historic Preservation Commission

FROM: Luis Pena, Historic Preservation Coordinator

DATE: 12 April 2023

SUBJECT: Historic Preservation Coordinator's Report

Orientation/Training

In May, an orientation/training will be held at the regular meeting of the Historic Preservation Commission. Please let me know if there are any specific topics you would be especially interested in discussing. This meeting will include an assessment of the existing workplan.

Current Vacancy

Please spread the word about the current existing vacancy on the Historic Preservation Commission. Currently there has been one application.

Historic District Reviews

Review Type	Cost	Number of Reviews	Totals
Administrative, no permit	\$0	4	\$0
Administrative, permit	\$35	5	\$175
Hearing	\$85	10	\$850
		19	\$1,025