

City of Birmingham
Birmingham Shopping District Proceeding
Thursday, April 7, 2022 - 8:30 a.m.
The Community House
Birmingham, MI 48009

Minutes of the meeting of the Birmingham Shopping District Board held Thursday, April 7, 2022, at 8:32 a.m. at The Community House

1. CALL TO ORDER AND ROLL CALL OF BOARD

PRESENT: Astrein, Hockman, Kay, Lipari, Lundberg, Markus, McKenzie, Quintal, Roberts, Director Emeritus Fehan

ABSENT: Eid, Pohlod, Surnow

ALSO PRESENT: Ecker, Fairbairn, Weingartz

ADMINISTRATION: Brook, Kammer, Bassett

2. RECOGNITION OF VISITORS

3. PRESENTATIONS

Hockman recognized Hunter House for their 70 years in Birmingham. He complimented them on a great product and their dedication to the city.

4. APPROVAL OF MINUTES

MOTION: Motion by Kay, seconded by Quintal to approve the minutes dated March 3, 2022.

VOTE: Yeas, 9 Nays, 0 Absent, 3

4. BOARD MEMBER COMMENTS

5. REPORTS

a. FINANCE REPORT – KAMMER

Kammer reported that cash fund currently has a balance of \$862,462. Approximately half of the special assessments have been collected. Total expenses are now approximately \$824,921, which is about 65% of the budget. We are a little behind last with in revenue due the fact that assessments were mailed later this year than most years.

b. EXECUTIVE DIRECTOR REPORT - KAMMER

Kammer shared that the BSD asked the Advisory Parking Committee for \$140,000 to cover additional expenses expected due to the upcoming construction project. The committee gave the BSD \$135,000 previously. The parking manager was concerned that the funds were not all spent during the last phase of construction. Therefore, they agreed to give \$75,000 now and the BSD can request more if needed.

Markus added that the parking manager had expressed concerns about having valet during the construction project. Weingartz elaborated that they are not able to identify a good location for valet and that the nature of the businesses on S. Old Woodward does not work as well with valet as other parts of the downtown worked. There are, instead, discussions regarding renting surface lots.

Markus shared commission is scheduled to give final approval for the construction project at their next meeting on Monday evening.

Hockman added that the maintenance and capital improvements committee would continue to work on this. McKenzie said that he would like to see better signage for the valet at The Daxton.

Kammer continued that the RFP for valet is currently open to bidders. The last merchant meeting was held on March 16. The focus was on workforce assistance and featured a presentation by Oakland County Michigan Works. The next merchant meeting will be held at Hastens on April 20.

c. COMMITTEE REPORTS:

SPECIAL EVENTS – ASTREIN

Astrein reported that the committee reviewed holiday activities and is already booking Santas for the upcoming season. The first Spring Stroll will be held on April 9. More than 170 families have already registered and 29 stores are participating.

The committee is also working on an Art Walk and activities for during the S. Old Woodward construction project.

MARKETING & ADVERTISING - KAY

Kay shared that the spring photo shoot concluded last week. The focus was on fashion. Therefore, it should be able to last all summer. Bassett shared images with the group and let them know that she was pleased with the different looks and the wide range of price points. Fehan asked about men's fashion being represented. Kay responded that, traditionally, the spring feature has been just women. Men's and children's fashion were included in the holiday edition and the gift guide.

MAINTENANCE/CAPITAL IMPROVEMENTS - LIPARI

Lipari reported they are trying to reduce the number of concrete planters. They may decide to keep them in the triangle district.

The committee discussed construction valet and the possibility of leasing private lots to use for public parking. Kammer mentioned that he has been in conversation with the owner of the 555 building regarding use of space in their lot.

BUSINESS DEVELOPMENT - MCKENZIE

McKenzie shared that CC Consulting gave an update that included five deals with active LOIs. One is a new construction.

Kammer explained that he had explored subsidizing public transportation to help businesses with their workforces. What he found was not affordable. Therefore, he will look into other funding options. He shared that he and Galli are currently working on a business mix analysis and hope to have something to share with the board at their next meeting.

The committee also discussed the proposed renewal of CC Consulting's contract, which will be discussed as an item under New Business.

WAYFINDING - FEHAN

Fehan reported that the Wayfinding Committee is getting ready to submit their recommendations to city commission.

EXECUTIVE BOARD REPORT - HOCKMAN

Hockman shared that the executive committee discussed the items listed as "New Business" on the agenda.

d. PARKING REPORT - ASTREIN

Astrein reported that 220 Merrill asked for additional frontage to create outdoor seating and to use parking spaces for valet. After much discussion, the Advisory Parking Committee denied their request. He added that there should be discussion with the planning board regarding the saturation point. The 220 Merrill request will still go before City Commission.

The waiting list for parking in the structures is down to under 500 people, which is great improvement.

Markus explained how important he feels it is for the BSD board to monitor what is going on at City Commission meetings as their decisions can have a serious impact on development of the downtown.

Hockman added that he thinks it would be beneficial to have a presentation on the history of the parking system at a future meeting. Markus gave credit to those who helped design the downtown and the parking structures over fifty years ago.

Markus added that there has been interest in exploring Social Districts further to allow for drinking alcohol outside.

e. CHAMBER REPORT

There was no report from the Chamber.

f. COMMUNITY HOUSE REPORT

There was no report from The Community House.

6. APPROVAL OF VOUCHERS

MOTION: Motion by Astrein, seconded by Kay to approve the vouchers, dated April 7, 2022.

VOTE: Yeas, 9 Nays, 0 Absent, 3

7. UNFINISHED BUSINESS

8. NEW BUSINESS

a. TextMyGov Communication Service

MOTION: Motion by Astrein, seconded by Roberts to approve a two-year agreement with TextMyGov for a fee not to exceed \$11,000.

Kammer explained that they had previously agreed to a one-year contract for \$5,500, but when TextMyGov examined the City contract, they found it would require additional costs. They said that they could add the additionally insured, but, in order for them to recover their costs, they would need a two-year contract for \$11,000.

Roberts asked if they gave a cost for a one-year contract. Kammer responded that no, they had not. However, there is a termination clause in the contract and, there may be times, other than construction, that we would want to use this technology.

VOTE: Yeas, 9 Nays, 0 Absent, 3

b. Retail Recruiter Contract

McKenzie shared that the Business Development Committee voted unanimously to recommend renewing the contract for the retail consultant at the same rates as the previous contract. He listed a proven record of accomplishment with significant deals being closed in the last year and that there is current momentum with five LOL's and eleven deals with properties identified.

The business mix analysis report will be able to help to work to shape the downtown. He acknowledged that there has been some friction and said that the committee would be open to putting out a new RFP next year.

MOTION: Motion by McKenzie, seconded by Astrein to approve a one-year extension of the contract with CC Consulting

Markus shared that he has numerous concerns with moving forward with this contract extension. He does not think that the contract is clear about with whom the consultant should report. He is also concerned that the consultant has not given any presentations or reports directly to the board. He made clear that committees are to make recommendations to the board; they are not decision-making bodies.

Markus wondered who has been providing direction to the consultant or if she has been leading. He also pointed out that compensation is supposed to be based on four areas, growing and recruiting tenants, retaining businesses already in town, maintaining a healthy pipeline, and creating collateral. He questioned how "creating collateral" could be measured. He added that he feels the tenant mix analysis should be included in future contracts.

McKenzie explained that a pipeline report is given to the committee each month and that he feels confident the consultant would be willing to present to the board, as well.

Markus continued that he has heard feedback that the consultant has very strong opinions that can cross into other areas and that Kammer feels like he has been excluded from this project. Markus expressed that he feels a year may be too long to wait for a new RFP.

Overall, Markus said that he has been very pleased with Kammer and the learning curve for a new executive director.

Markus pointed out that improvements need to be made with this contractor. He shared that the contractor had given gift cards to staff who then returned them, as required by city policy. The contract has also already been amended two or three times, with a bump in payment each time. Markus feels it is very important that the consultant work within the system and communication needs to be improved. Direction needs to come from the board of directors.

In order to move forward, Markus would like to see shorter terms for a contract renewal as well as adjustments to the agreement to address his other concerns. He would also like to see an RFP developed immediately. Markus said that he would vote against the current motion.

Astrein asked if confidentiality regarding deals has made it difficult for the consultant. Markus responded that the executive director should know what is in the works.

Astrein asked if Markus would be comfortable approving the contract pending appropriate changes being made. Markus replied that he thinks the changes should be made, including making it a six-month contract, and then brought back to the board.

NO VOTE TAKEN

MOTION: Motion by Markus, seconded by Kay to table the contract discussion until the next board of directors meeting when it can be presented again taking into account the modifications proposed by Markus.

VOTE: Yeas, 9 Nays, 0 Absent, 3

Astrein asked if an ethics violation would be cause for termination. Markus responded that it could be, however, in this situation, it was remedied.

Roberts commented that he feels that six months is short for a new agreement after a lot of work goes into rewriting the contract itself.

Markus said that many of the contract changes would also be used in the RFP. Therefore, it would not be a lot of extra work. Roberts shared his concern that it could cause a loss of momentum. McKenzie agreed and added that he does not feel that a six-month contract encourages work on the future. Hockman explained that it could also be rewritten as a one-year contract. It will be up to the board to decide.

c. Wayfinding & Gateway Signage Report

Fehan shared that the Wayfinding committee has completed their objectives and would like the BSD to recommend them to the city commission. He also suggested that this committee become a standing committee instead of just ad-hoc.

MOTION: Motion by Astrein, seconded by McKenzie, to support the recommendations of the Ad Hoc Wayfinding and Gateway Signage Committee contained in the attached report to the City Commission. Further, the board agrees to adopt the branding and logo, or some variation thereof, consistent with the recommendations of the report.

VOTE: Yeas, 9 Nays, 0 Absent, 3

d. 2022-2023 Budget

Kammer shared the budget for the coming fiscal year and pointed out that there are three changes related to the S. Old Woodward project. The maintenance budget increased from

\$70,000 to \$100,000. The marketing budget increased from \$150,000 to \$225,000. In addition, the valet budget changes from \$15,000 to \$50,000.

MOTION: Motion by Astrein, seconded by Quintal, to approve the 2022-2023 budget for the Birmingham Shopping District.

VOTE: Yeas, 9 Nays, 0 Absent, 3

9. INFORMATION

a. Retail Activity

b. Announcements

c. Letters, Board Attendance & Monthly Meeting Schedule

10. PUBLIC COMMENTS

11. ADJOURNMENT – 10:32 A.M.

Respectfully submitted,
Jaimi Brook (back-up notes on file)