

City of Birmingham  
Birmingham Shopping District Meeting Minutes  
**Thursday, June 2, 2022 - 8:30 a.m.**  
The Community House  
Birmingham, MI 48009

Minutes of the meeting of the Birmingham Shopping District Board held Thursday, June 2, 2022, at 8:33 a.m. at The Community House

**1. CALL TO ORDER AND ROLL CALL OF BOARD**

**PRESENT:** Astrein, Eid, Hockman, Kay, Lipari, Markus, McKenzie, Pohlod, Roberts, Surnow

**ABSENT:** Lundberg, Quintal, Director Emeritus Fehan

**ALSO PRESENT:** Cindy Ciura, Devin Muldoon, Mary Kucharek

**ADMINISTRATION:** Ecker, Brook, Bassett

**2. RECOGNITION OF VISITORS**

**3. PRESENTATIONS**

Hockman recognized Carl Sterr for being in business for 40 years in Birmingham. Ecker shared that the business has just changed its name from Carl Sterr to Sterr and Doon.

**4. APPROVAL OF MINUTES**

**MOTION:** Motion by Kay, seconded by Pohlod to approve the minutes dated May 5, 2022.

**VOTE: Yeas:** Astrein, Eid, Hockman, Kay, Lipari, Markus, McKenzie, Pohlod, Roberts, Surnow

**Nays:** none

**Absent:** Lundberg, Quintal

**4. BOARD MEMBER COMMENTS**

Hockman shared that his term as a BSD board member will be ending in November. He will not seek another term. Markus thanked Hockman for his service on behalf of himself and the community. Markus explained that Hockman has been very involved at all levels in the community.

**5. REPORTS**

**a. FINANCE REPORT – MARKUS**

Markus reported that the BSD budget is tracking as planned. He added that he and Hockman have been discussing the assessment renewal and are hoping to have a leadership change before the assessment is presented this fall.

**b. EXECUTIVE DIRECTOR REPORT - ECKER**

Ecker shared that the City has a new logo and the BSD is looking at how it should incorporate the City's new logo into its branding. Ecker reported that the Wayfinding Committee is requesting that a member of the Marketing and Communications Committee join them.

Pohlod explained that none of the members of the Marketing and Communications Committee is available at the time that the Wayfinding Committee is currently meeting. Ecker said that she would bring that information back to the Wayfinding Committee and see if they might be able to change their meeting time.

Ecker also reported that the City Commission would consider the BSD budget for final approval at their June 13, 2022 meeting. She shared that the Merchant Meeting was well attended. Discussion focused on South Old Woodward Reconstruction Project and summer events.

Ecker also explained that she had contacted CC Consulting regarding the approval of the contract at the May BSD Board Meeting and Ciura had questions about money owed from the previous contract and therefore did not want to sign the new contract.

Ecker also pointed out that board packets now contain minutes from committee meetings instead of reports. Markus reminded everyone that committees make recommendations to the Board. The Board of Directors makes decisions.

**c. COMMITTEE REPORTS:**

**SPECIAL EVENTS – ASTREIN**

Astrein reported that the Committee discussed the Spring Stroll and that the committee would like to have an Art Walk. The Birmingham Bloomfield Arts Center will work in partnership with the BSD.

Brook updated the group that applications are currently being accepted for artists to decorate the construction barricades and that plans are in place to have a scavenger hunt that focuses on the South Old Woodward area later in the summer.

Merchants can now register to participate in Day on the Town, which will be held on July 30, 2022. Astrein reminded the board that the first of four Movie Nights would be held on June 10, 2022 at Booth Park. He added that Stuart Jeffares presented information to the committee about a Big Band event that he would like to produce with NEXT. The event would take place in October, possibly at Daxton Hotel.

Markus mentioned that Jeff Ishbia might be interested in being a sponsor and that Jeffares had spoken with Ecker and a Daxton representative.

Pohlod asked about holding a Touch-A-Truck event. Astrein explained that, since the DPS recently held their open house, the Committee discussed putting that event on hold.

Ecker shared that staff submitted special events applications to the City Clerk's office for approval for the Birmingham Cruise Event, Santa House & Small Business Saturday, and Winter Market. They will be considered at the June 13, 2022 City Commission meeting. She asked the board to confirm their approval of these applications.

**MOTION: Motion by Astrein, seconded by Kay to concur with special event applications as submitted to the City Clerk's office and to authorize staff to move forward with planning the Birmingham Cruise Event, Santa House & Small Business Saturday, and Winter Markt.**

**VOTE: Yeas: Astrein, Eid, Hockman, Kay, Lipari, Markus, McKenzie, Pohlod, Roberts, Surnow**  
**Nays: none**  
**Absent: Lundberg, Quintal**

#### **MARKETING & ADVERTISING - POHLOD**

Pohlod shared that the Committee has been focusing on the summer video and the fashion insert. They plan to use social media to post information about the businesses in the construction zone. The promotional Birmingham Bucks program is beginning for the businesses in the construction area. Staff distributed informational cards to the impacted businesses.

The Committee is also beginning to look into ways to incorporate the new City logo into a new logo for the BSD.

Bassett reported that she has worked with DPS to place directional signage in the construction area. She shared that approximately 100 people have registered to get text messages through the TextMyGov program.

Ecker informed the group that an individual brought a petition to the last City Commission meeting to let Commissioners know that they do not like the detour, and would like the no right turn sign removed. The police department has looked into this and does not think that it would be a good idea. Markus added that the individual filed a FOIA request that will take hours to complete.

#### **MAINTENANCE/CAPITAL IMPROVEMENTS - LIPARI**

Lipari reported that the Committee continues to discuss options for construction valet and that there is the possibility of adding it later. Power washing will take place after the Village Fair. The Committee is looking into options for a DPS employee appreciation lunch.

#### **BUSINESS DEVELOPMENT - SURNOW**

Surnow shared that the committee has been focusing on the third party recruiting contract and that there is not a pipeline report this month.

Bassett shared that, since the current Birmingham Bucks promotion is so narrow, they would like to do an additional promotion from June 24, 2022 through June 26, 2022. For this promotion, shoppers would earn Bucks from any qualifying business within the BSD. This would use the same budget that is already allocated to June. Pohlod clarified that the current budget for June is \$15,000. The expectation is that the current promotion will not use all of those dollars.

**MOTION: Motion by Surnow, seconded by Pohlod to approve a BSD-wide Summer Bucks Weekend promotion June 24-26, 2022 open to all BSD businesses as part of the Program 1 - Phase 1 Birmingham Bucks S. Old Woodward Reconstruction Promotion.**

**VOTE: Yeas: Astrein, Eid, Hockman, Kay, Lipari, Markus, McKenzie, Pohlod, Roberts, Surnow**  
**Nays: none**  
**Absent: Lundberg, Quintal**

#### **EXECUTIVE BOARD REPORT - HOCKMAN**

Hockman reported that a search is underway for a new Executive Director. The posting will close on June 10, 2022. Hockman proposed having an interview committee made up of the chairs of the four BSD committees to work with HR to make a recommendation to the full board of directors.

**MOTION: Motion by Hockman, seconded by Surnow, to create an interview committee made up of the chair people of the Marketing & Advertising, Special Events, Maintenance and Capital Improvements, and the Business Development committees, that will bring more than one candidate to the full Board of Directors for review.**

Markus added that he thinks that Ecker and HR Manager Lambert should also be a part of the interview committee. He continued that it is a very difficult market right now and he wants the group to be able to act quickly. Motion maker and seconder amended the motion as follows:

**MOTION: Motion by Hockman, seconded by Surnow, to create an interview committee made up of the chair people of the Marketing & Advertising, Special Events, Maintenance and Capital Improvements, and the Business Development committees, as well as Ecker and HR Director Lambert, that will bring more than one candidate to the full Board of Directors for review.**

**VOTE: Yeas: Astrein, Eid, Hockman, Kay, Lipari, Markus, McKenzie, Pohlod, Roberts, Surnow  
Nays: none  
Absent: Lundberg, Quintal**

**d. PARKING REPORT - ASTREIN**

No report given.

**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 Pohlod, seconded by Kay to approve the vouchers, dated May 5, 2022.**

**VOTE: Yeas: Astrein, Eid, Hockman, Kay, Lipari, Markus, McKenzie, Pohlod, Roberts, Surnow  
Nays: none  
Absent: Lundberg, Quintal**

**7. UNFINISHED BUSINESS**

**a. Retail Recruiting Contract Update**

Ecker reported that Ciura of CC Consulting had questions about money she feels is owed to her. Ecker asked Melissa Fairbairn, in the City Manager's office, to review the contracts and all payments made by the BSD. The 2021-2022 contract had a maximum of \$75,000. There was

a question about insurance payment. So, they were added to the contract maximum. Each contract had a maximum amount made up of base pay and incentives. Upon thorough review, Fairbairn concluded that the BSD had already paid more than the contract maximum. Therefore, Ecker recommended not making further payment to CC Consulting.

CC Consulting had further questions, which caused Ecker and Fairbairn to review earlier contracts. The review showed that the amount paid to CC Consulting exceeded the contract maximum. Ecker acknowledged that the Finance Department and City Attorney confirmed that there might have been a discrepancy in what the board members thought the contract actually said versus what is actually written in the contract.

Surnow agreed that he felt the spirit of the agreement was different from what the contract states. He does not feel that the written contract accurately reflects the verbal deal. Roberts added that the contracts from the first two years were poorly written. However, looking at just the third year shows that we have overpaid. Therefore, no further payment is needed.

Markus shared that these contract questions caused a great deal of tension for the previous Executive Director, board, and staff. He can understand how we got into this position, but as a municipal body, you have to go by the written contract.

Public Comment:

Ciura gave a brief history of her company. She then explained that she was not paid \$75,000 from this contract as she billed one month behind. She also believes that her expenses were considered payment and should not have been. Ciura says that the BSD only paid her \$72,775. She believes that that sum included expenses for design of a marketing piece.

Ciura said that previous consultants were paid in the \$100,000 range and that due to COVID she did not have control over when deals closed. She believes that her work has played a very important role in the interest Birmingham is getting from retailers and that there have been deals that have closed for which she has not gotten any commission.

Ciura shared that she had her accountant audit the payments that she received and they do not add up to \$75,000. She does not feel that it is fair that she is not being paid for all of her work. She does not feel that the board appreciates the work that she has done. She also does not think that some of the terms for the new contract are reasonable as property owners will not want to share details of their deals.

Markus responded that Ciura's comments are indicative of the consternation that has surrounded this issue. He would like to rescind the offer of a new agreement with CC Consulting and go out to bid for a new retail consultant.

Pohlod shared that she looked at the numbers and believes that the BSD has paid in full. Surnow added that although people may have interpreted the contract in different ways, you have to go back to the source document. He would like to move the focus to bringing in new businesses. Hockman agreed that it is time to move forward.

**MOTION: Motion by Markus, seconded by Pohlod, to rescind the contract that was offered to CC Consulting and withdraw the offer for CC Consulting to act as a retail consultant for the BSD for another year.**

**VOTE: Yeas: Astrein, Eid, Hockman, Kay, Lipari, Markus, McKenzie, Pohlod, Roberts, Surnow  
Nays: none  
Absent: Lundberg, Quintal**

**MOTION:** Motion by Astrein, seconded by McKenzie, to direct the acting Executive Director to start the RFP process to secure a new third party retail consultant. This does not preclude the current provider from bidding.

**VOTE:** Yeas: Astrein, Eid, Hockman, Kay, Lipari, Markus, McKenzie, Pohlod, Roberts, Surnow  
Nays: none  
Absent: Lundberg, Quintal

## **8. NEW BUSINESS**

### **a. Art Walk Event**

Ecker explained that there had been a meeting with Annie VanGelderer from the Birmingham Bloomfield Art Center (BBAC) and that the Special Events Committee supports the idea of working with the BBAC to hold an Art Walk in the downtown area this fall. The BSD will recruit merchants, put together a map, and promote the event. The BBAC will secure the artists.

**MOTION:** Motion by Markus, seconded by Pohlod to approve the addition of the Art Walk to the fall 2022 BSD special events schedule and to authorize the Executive Director to commence planning and marketing the event.

**VOTE:** Yeas: Astrein, Eid, Hockman, Kay, Lipari, Markus, McKenzie, Pohlod, Roberts, Surnow  
Nays: none  
Absent: Lundberg, Quintal

### **b. Parking Contract for 690 S. Old Woodward Avenue**

**MOTION:** Motion by Markus, seconded by Astrein to approve a month by month parking lot lease agreement between the Birmingham Shopping District and Coldwell Banker Weir Manual in the amount of \$1,080 per month for the provision of public parking during the S. Old Woodward Reconstruction Project and to direct Chairperson Hockman to sign the lease on behalf of the BSD.

**VOTE:** Yeas: Astrein, Eid, Hockman, Lipari, Markus, McKenzie, Pohlod, Roberts, Surnow  
Nays: none  
Absent: Lundberg, Quintal

## **9. INFORMATION**

### **a. Retail Activity**

### **b. Announcements**

### **c. Letters, Board Attendance & Monthly Meeting Schedule**

## **10. PUBLIC COMMENTS**

## **11. ADJOURNMENT – 10:06 A.M.**

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