

City of Birmingham
Birmingham Shopping District Meeting Minutes
Thursday, October 6, 2022 - 8:30 a.m.
The Community House
Birmingham, MI 48009

Minutes of the meeting of the Birmingham Shopping District Board held Thursday, October 6, 2022, at 8:30 a.m. at The Community House.

1. CALL TO ORDER AND ROLL CALL OF BOARD

PRESENT: Astrein, Eid, Hockman, Kay, Lipari, Markus, McKenzie, Pohlod, Quintal, Roberts, Surnow, Director Emeritus Fehan

ABSENT: Lundberg

ADMINISTRATION: Brook, Ecker, Gerber, Sheppard-Decius

ALSO PRESENT: Jeff Hockman, Nixie Hockman, Joe Bauman, Kathy Reisdorf, Carol Okragleski

2. RECOGNITION OF VISITORS Pohlod thanked guests for attending.

3. PRESENTATIONS

Pohlod congratulated Reisdorf and Okragleski on owning Dairy Mat for 25 years. She thanked them for being a part of the Birmingham community for so many years.

Ecker recognized Hockman for over 30 years of service to the Birmingham Shopping District and the Birmingham community. Hockman was a founding member of the BSD. She thanked him for his hard work and dedication. Astrein added that he has known Hockman for 35 years and Hockman has been an incredible mentor.

Markus also thanked Hockman for all that he has done for the community over the years and reminded attendees that, in addition to helping to found the BSD, Hockman has served as a City Commissioner, the Mayor, a Birmingham School board member and School Board president.

Hockman expressed his appreciation for the recognition. He said that this is concluding 44 years of community involvement. He feels that the BSD has far exceeded what the founders thought that they would be able to do. He thanked board members and staff for their commitment and encouraged them to continue on what he sees is a great path.

4. APPROVAL OF MINUTES

MOTION: Motion by Astrein, seconded by Kay to approve the minutes dated September 1, 2022.

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

Nays: none

Absent: Lundberg

5. BOARD MEMBER COMMENTS

None

6. REPORTS

a. FINANCE REPORT – GERBER

Gerber reported that they are still going through an audit. There had been \$111,000 shown as receivable from the last assessment. \$94,800 has been collected since then, however the reports do not yet reflect that.

There was a \$777,000 fund balance at the end of August. We are approximately 16% of the way through the budget year and have used about 10% of the budget. The negative amount shown in special assessments is money that was collected in this fiscal year but will be credited to the previous fiscal year. Once done, it will net out to zero.

The line item for Other Contractual Services is currently at 172%. This is for the lease of parking spaces during South Old Woodward reconstruction. Ecker added that funds from the Parking Advisory Committee would completely cover that expense.

The cash flow report shows that we are \$73,000 better than anticipated for August. Most of that is due to timing and not having the payroll expense for an executive director.

b. EXECUTIVE DIRECTOR REPORT - ECKER

Ecker reported that the BSD received two bids in response to the RFP for a retail consultant. One was from Retail Strategies, LLC in Birmingham, Alabama. They have submitted proposals in the past as well. The other came from a retail C & C Apparel Solutions. They appear to be a clothing retailer out of Detroit. Staff has not yet had an opportunity to do a full review of the proposals.

South Old Woodward construction remains on schedule. Most work should be completed by the end of October. Things have gone very smoothly with the project. However, there will be a delay with DTE and some of the lighting, but that will not affect when the road opens.

Markus added that there is ongoing litigation in federal court regarding the project. The City offered to include more ADA parking spots during mediation. That offer was rejected. Markus is pleased that the road should open within 7-days of planned completion.

Ecker stated that the Birmingham Bucks Fall campaign had 119 submissions and the BSD issued \$5,510 in Birmingham Bucks. She felt that it was a successful promotion.

Ecker reminded the board that Sheppard-Decius has begun working for the BSD on a part-time basis as she completes her contract with another city. She expects to be full time at the BSD beginning December 1.

Ecker advised that a termination letter was sent to CoStar to put them on notice. The BSD will send another letter at the proper time – 90-days before the contract would renew. Cancelling this service will result in a significant savings.

The DPS staff enjoyed the catered lunch that the BSD board provided to show their appreciation of all of the work they do throughout the year. Ecker thanked Pohlod for bringing in the food and board members for their contributions to offset expenses.

Art Walk is October 13. Ecker encouraged board members to attend.

c. COMMITTEE REPORTS:

SPECIAL EVENTS - ASTREIN

Astrein also encouraged board members to attend the Art Walk. He also shared that Mercedes-Benz of Bloomfield Hills has committed to being the presenting sponsor for the Birmingham Winter Market again this year. Wells Fargo will be sponsoring the Tree Lighting Ceremony.

Brook added that we are still looking for non-profit groups that might be interested in helping to staff Santa House.

Astrein shared that the September Movie Night was successful.

Fehan is glad to see that we are working with the Birmingham Bloomfield Art Center on the Art Walk.

Pohlod asked Brook to order twice as many glow wands for the Tree Lighting Ceremony this year – 1000 instead of 500. She also asked board members to help distribute the glow wands before the ceremony begins.

MARKETING & ADVERTISING - KAY

Kay shared that, due to a lack of quorum, there was not a September meeting. The group is continuing work on the Holiday Gift Guide and the rollout of the new BSD logo.

Ecker reported that the BSD website won a 2022 Web Award from the Web Marketing Association for Outstanding Website. They loved the high quality photos and that it was easy for users to navigate. Pohlod thanked Bassett for her work on the website redesign.

MAINTENANCE/CAPITAL IMPROVEMENTS - LIPARI

Lipari reported that there was not a September meeting. Flower baskets have been removed and holiday lights are going up. The DPS luncheon was a success.

BUSINESS DEVELOPMENT - MCKENZIE

McKenzie shared that the group looked at how we learn that a new business moved into the BSD. The committee would like to work on formalizing a process. The business mix analysis is moving forward. There will be more to present to the board next month with comparisons to two other communities that have similar demographics.

EXECUTIVE COMMITTEE REPORT - POHLOD

Pohlod reported that the executive committee discussed the special assessment and some of the attendance issues that committees have been facing recently.

d. PARKING REPORT - ASTREIN

Astrein shared that they are getting ready to get much needed new equipment for the parking structures.

Pohlod asked about parking structures remaining open for the Tree Lighting Ceremony. Brook confirmed that the request had been approved by City Commission as a part of the special event application.

Markus asked if alcohol would be served at Winter Markt. Brook said that she is working with a local non-profit to have them host the beer tent and that the Community House had not contacted us about participating in the event.

e. CHAMBER REPORT - BAUMAN

Bauman shared that the Chamber is working on rebuilding. 2022 has been a great year. Village Fair returned after a 2-year absence and broke records. Vine and Dine went well with 300 people in attendance.

Looking forward, the annual meeting is December 1. It will take place next door to the BSD board meeting and December 8 will be the annual holiday mixer.

Bauman also commended Hockman for his work and leadership in the community. He shared what a great response he always gets from out of towners when they first experience downtown Birmingham.

f. COMMUNITY HOUSE REPORT

There was no report from The Community House.

6. APPROVAL OF VOUCHERS

MOTION: Motion by Astrein, seconded by Quintal to approve the vouchers, dated October 6, 2022.

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

Nays: none

Absent: Lundberg

7. UNFINISHED BUSINESS

None

8. NEW BUSINESS

a. BSD Assessment Renewal

Ecker explained that the 4-year special assessment that funds the BSD is up at the end of the year. Therefore, a renewal is required. Committees have each discussed rate options. The Executive Committee reviewed numbers provided by Gerber with predictions of rising costs and the goal of keeping a \$500,000-\$600,000 fund balance. The recommendation is to have a new rate for District 1 with a 5.9¢ increase for the first floor and a 4.2¢ increase for upper floors.

Roberts asked about possible push back from S. Old Woodward businesses who are just coming out of construction. Pohlod responded that, since those businesses are more destination shopping, she does not feel that construction affected their sales as much as it did when construction took place on Maple.

Eid added that he feels this is a very reasonable ask. He added that he feels that District 1A benefits just as much from the BSD as District 1 businesses.

Ecker explained that there would be a public hearing at the October 24 City Commission meeting. Quintal asked if he had to support all of the increase or nothing. Markus replied that the motion could be split in two so that he could show his support for the increase to the first floor assessment while still not supporting the increase to the upper floor assessment rates.

Surnow agreed that the office market is currently struggling, however he added that they do benefit from Birmingham being the city that it is and the work that the BSD does.

Hockman reminded that group that 20 of the larger properties are already capped. Therefore, the rate increase will not affect them.

MOTION: Motion by Markus, seconded by Astrein to recommend renewal of the Birmingham Shopping District Special Assessment for a four-year period, with a proposed rate increase in District 1 of the BSD of \$0.059 for the first floor of all commercial buildings and further, to recommend the proportional increase of rates in District 1A.

Surnow asked how some properties were capped. Markus explained that it was a part of the political process at the state legislature level and that Jacobson's played a large role in that process.

Pohlod commented that businesses come to Birmingham because of its reputation. They like the feel of the community and the programs offered.

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

MOTION: Motion by Markus, seconded by Hockman to recommend renewal of the Birmingham Shopping District Special Assessment for a four-year period, with a proposed rate increase in District 1 of the BSD of \$0.042 for all floors other than the first floor, of all commercial buildings and further, to recommend the proportional increase of rates in District 1A.

**VOTE: Yeas: Astrein, Eid, Hockman, Kay, Lipari, Markus, McKenzie, Pohlod, Roberts, Surnow
Nays: Quintal
Absent: Lundberg**

b. Winter Markt – Sunbelt Electrical Services

Motion by Astrein, seconded by Kay, to approve a three year agreement with Sunbelt Rentals, Inc. for the provision of electrical services in Shain Park during the 2022, 2023 and 2024 Winter Markt events, with a not to exceed total cost of \$55,987.51, and to authorize the Chairperson and Interim Executive Director to execute the agreement once the following conditions have been met:

1. Sunbelt Rentals, Inc. provides an updated insurance binder with the correct additional insured language in accordance with the terms of the RFP; and

2. The City Attorney has reviewed and recommends approval of the contract signed by Sunbelt Rentals, Inc., with all terms outlined in the RFP issued by the BSD, with no amendments.

Ecker shared that Sunbelt had added a page of clarifications of terms but the City attorney said that it was not valid, as they had signed the contract with no amendments. We are waiting on updated insurance.

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

d. Committee Attendance Policy

Pohlod reported that committee members are not attending meetings regularly. This often affects whether or not there is a quorum and if a meeting can be held. She would like to update committee participation guidelines to say that members must attend at least 75% of scheduled meetings. The BSD would reach out if attendance drops below that threshold to see what their intentions are.

Motion by Markus, seconded by Astrein to accept Judith Solomon's resignation from the Special Events Committee.

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

Motion to direct the Executive Director to research any previous bylaws or rules of procedure implemented for the BSD Board or its committees and update any such documents, or prepare draft bylaws and/or rules of procedure for review and consideration.

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

d. Holiday Lighting Request from DPS

Ecker reminded the group that at the last board meeting the board had no interest in paying more than the 20% of DPS holiday lighting costs than they currently pay. Ecker shared that she had requested a breakdown of cost from DPS, but she had not yet received it.

Hockman agreed that having a breakdown would be important. He said that we might find out that we have been getting a very good deal from DPS, or we might see that we have been paying a fair portion of the expenses.

Markus added that the area that DPS lights has expanded, but DPS has not been tracking it. Consensus was to consider this matter at a later meeting when more information is available.

9. INFORMATION

a. Retail Activity

b. Announcements

c. Letters, Board Attendance & Monthly Meeting Schedule

10. PUBLIC COMMENTS

11. ADJOURNMENT – 10:05 A.M.

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

APPROVED