

# Michigan Retailer

OCT/NOV  
2020

The official publication of  
the Michigan  
Retailers Association

[www.retailers.com](http://www.retailers.com)

## Painting spree

Murals: Are they right  
for your building?

Election: MRA's  
Friends of Retail

Retail liability issues  
during COVID-19

What downtowns are  
doing to help retail

Artist Brian Whitfield  
is painting a mural for  
Meijer's new urban market  
opening in mid-October in  
downtown Lansing.

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Retailers  
Association

Volume 45 No. 5

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ON THE COVER



**MURALS**  
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A lot of stores find that murals draw attention to their businesses. Here's the story of how and why one retailer decided a mural would be good for its new urban market in Lansing.

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Visit us online to see what's new in the industry and what services we provide members to strengthen your business.

## Real-life lessons from Monopoly

I've been playing a lot of Monopoly with my kids the last few days – just our latest activity in this never-ending pandemic. My son Zachary, 7, is particularly obsessed and hopefully he's learning a thing or two about what it's like to be a business owner.

It's been a while since I've played the game, and while I'm no expert, the key to winning the game can be summed up with the old adage "you've got to spend money to make money." You need to buy properties, and then invest in houses and hotels at a level that's slightly uncomfortable and risks potential bankruptcy. I play to win (this father shows no mercy), and I chuckled to myself when I overheard Zachary explain to my daughter Olivia, 10, that he lost a game because he was "over leveraged" after he mortgaged several properties.

The similarities between the game and the real world are evident as the difference between winning and losing can be about as thin as a knife's edge. I've spoken with a lot of MRA members during the pandemic and I get the impression that's how many retailers feel right now. Small business owners are used to taking calculated risks. They buy or lease property, invest in equipment and inventory, hire employees, and hope customers will show up and land on their space.

What's changed is the element of control. The pandemic is like having a chance card on every other turn. Chance is what small business owners fear: They want to be in control of their own destiny. The pandemic has altered that dynamic. A business should have the opportunity to succeed on its own merits and not for reasons outside its control, like government shutdowns or burdensome restrictions.

Recently, Gov. Gretchen Whitmer remarked that we're still in the early stages of the pandemic. It's a sobering perspective as we're six months in and the weather has already started to turn. While we wait for a vaccine and still have a ways to go, the team at Michigan Retailers Association is working everyday to help your business succeed on its own merits and reduce the element of chance. We'll continue to advocate to keep retail open, especially as the industry has proven itself safe with virtually zero related outbreaks. We stand ready to answer all of your questions through our [Ask Us First program](#)

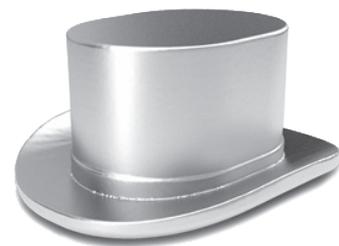


and we've identified retail friendly candidates (Page 5) as the November election approaches. Our [Buy Nearby celebration on October 2-4](#) encouraged Michiganders to keep their shopping dollars local. In short, we're investing in you.

Even with the unknowns from a global pandemic, many certainties still exist: We don't know what the next chance card will be, and we don't get \$200 for passing GO. We also know that retail plays a vibrant role in the vitality of our communities, and Michigan Retailers Association will be there for you as we collectively wait to land on free parking.

A handwritten signature in black ink, appearing to read "William J. Hallan".

WILLIAM J. HALLAN  
*MRA President and  
Chief Executive Officer*



# Wondering who to vote for?

## MRA names 2020 Friends of Retail

Michigan Retailers Association named 68 legislative candidates for the Nov. 3 general election who are considered a “Friend of Retail” and have earned the association members’ support.

MRA’s Friends of Retail designations were approved by the Association’s Legislative Committee and are based on an analysis of voting

records and candidate questionnaires. Current elected officials earning a Friend of Retail designation demonstrated through their votes on and sponsorship of key issues, while candidates earning a Friend of Retail designation demonstrated through their answers to critical policy questions that they understand the importance of the retail industry to Michigan’s economy.

District 1	Tenisha Yancey (D-Harper Woods)	District 65	Sarah Lightner (R-Springport)
District 1	Gregory Creswell (L-Detroit)	District 66	Beth Griffin (R-Mattawan)
District 2	Joe Tate (D-Detroit)	District 67	Nate J. Ross (R-Mason)
District 9	Karen Whitsett (D-Detroit)	District 70	Pat Outman (R-Six Lakes)
District 11	James Townsend (R-Garden City)	District 71	Gina Johnsen (R-Lansing)
District 13	Tullio Liberati (D-Allen Park)	District 74	Mark Huizenga (R-Walker)
District 17	Joe Bellino Jr. (R-Monroe)	District 76	Doug Zandstra (R-Grand Rapids)
District 18	Michael Babat (R-Eastpointe)	District 77	Tommy Brann (R-Wyoming)
District 19	Martha Ptashnik (R-Livonia)	District 78	Brad Paquette (R-Niles)
District 20	John Lacny (R-Canton)	District 79	Pauline Wendzel (R-Coloma)
District 21	Laurel Hess (R-Canton)	District 80	Mary Whiteford (R-South Haven)
District 23	John Poe (R-New Boston)	District 81	Gary Eisen (R-Saint Clair Township)
District 24	Steve Marino (R-Mount Clemens)	District 83	Andrew Beeler (R-Port Huron)
District 28	Frederick Horndt (L-Warren)	District 84	Phil Green (R-Millington)
District 30	Diana Farrington (R-Utica)	District 85	Ben Frederick (R-Owosso)
District 34	James Miraglia (R-Flint)	District 87	Julie Calley (R-Portland)
District 36	Doug Wozniak (R-Shelby Township)	District 88	Luke Meerman (R-Coopersville)
District 38	Chase Turner (R-Northville)	District 89	Jim Lilly (R-Macatawa)
District 39	Ryan Berman (R-Commerce Township)	District 90	Bradley Slagh (R-Zeeland)
District 40	Kendra Cleary (R-Bloomfield Township)	District 91	Greg VanWoerkom (R-Norton Shores)
District 42	Ann Bollin (R-Brighton)	District 93	Graham Filler (R-DeWitt)
District 43	Andrea Schroeder (R-Independence Twp.)	District 94	Rodney Wakeman (R-Saginaw)
District 44	Matt Maddock (R-Milford)	District 96	Timothy H. Beson (R-Bay City)
District 45	Mark Tisdell (R-Rochester)	District 97	Jason Wentworth (R-Clare)
District 47	Robert J. Bezotte (R-Howell)	District 98	Annette Glenn (R-Midland)
District 48	David Martin (R-Davison)	District 99	Roger Hauck (R-Mount Pleasant)
District 53	Jean Holland (R-Ann Arbor)	District 100	Scott VanSingel (R-Grant)
District 54	Martin A. Church (R-Ypsilanti)	District 101	Jack O'Malley (R-Lake Ann)
District 57	Bronna Kahle (R-Clinton)	District 102	Michele Hoytenga (R-Manton)
District 58	Andrew Fink (R-Hillsdale)	District 103	Daire Rendon (R-Lake City)
District 61	Bronwyn Haltom (R-Kalamazoo)	District 104	John R. Roth (R-Traverse City)
District 62	Dave Morgan (R-Battle Creek)	District 105	Ken Borton (R-Gaylord)
District 63	Matt Hall (R-Marshall)	District 105	Jonathon Burke (D-Gaylord)
District 64	Julie Alexander (R-Hanover)	District 107	John N. Damoose (R-Harbor Springs)

# Foundation gets 25th scholarship

W. Bruce Rogers is a longtime community business leader and philanthropist in the Traverse City area, and now he adds another cause: He and his wife have established the W. Bruce and Joyce M. Rogers Legacy Scholarship as part of the Michigan Retailers Foundation.

The scholarship marks a milestone for the foundation: It is the 25<sup>th</sup> Legacy scholarship offered to dependents and employees of MRA members. The annual scholarship competition kicks off Jan. 1; winners will be announced in June 2021.

"I strongly believe in the purpose of the foundation," Rogers said. "We need young people to follow us. Retail is not an easy thing to get into. It's tremendously involved with time, energy and attitude to want to provide that special product for your customers. The internet and other factors have put a lot of retailers out of business. It's not an easy career."

Today, nearing 80, he remains active running his cattle ranch and property management company.

But his retail career started in the 1960s, when as a traveling salesman he sold the Olga brand of women's intimate apparel to stores like Jacobson's. But he always wanted to work for himself, and that's when he and Joyce bought Bartling's, a popular women's clothing store on Traverse City's Front Street, in 1972.

They sold it in 2001, but he loved their time in downtown. "I think it's

the premiere downtown in the state of Michigan, maybe the Midwest."

That may be hometown pride talking, but one would expect that from someone often dubbed, "Mr. Traverse City." Over the years, he has served on the boards of the Traverse City Chamber of Commerce, Downtown Development Authority, Traverse City State Bank, the National Cherry Festival and Rotary Charities. In fact, he was a key Rotarian who helped purchase the Park Place Hotel.



Joyce and W. Bruce Rogers

He also served on the Michigan Retailers Association board from 1992-2006 and was board chair for two years.

To this day, he supports kids in 4-H by providing them a Hereford calf every August from his ranch, which they can sell the following year at the county fair. He also provides meat to the ACTS foodbank serving Acme and Williamsburg, where his ranch is located. "I'm a city boy who always wanted to be a cowboy," the Detroit native said.

He appreciates the strength of Michigan Retailers Association. "You've done it by supporting the little guys. That's why Joyce and I support the foundation. I have such admiration for what MRA has built and how it's grown, and the caliber of person you have there."

*Do you want to start establishing a legacy scholarship? Contact Cheryl Medler at [cmедler@retailers.com](mailto:cmедler@retailers.com) for details.*

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# Annual meeting

New officers and a new board member were elected at the annual meetings of the Michigan Retailers Association and Retailers Insurance Co. boards in August.

## THE RIC BOARD

Jean Sarasin was elected as chair of the RIC board. She is former Executive Vice President and COO of MRA and RIC. Jeff Joyce, of Mieras Shoes, is past chair.

## THE MRA BOARD

Bo Brines, owner of Little Forks Outfitters in Midland, was elected chair of the MRA board.

Little Forks Outfitters is an Orvis shop and retailer of quality fly fishing equipment and outdoor clothing. A Midland native, he attended Berklee College of Music in Boston. He is a board member of the Midland DDA, former president of the Midland Downtown Business Association and was that organization's 2004 "Business Person of the Year." He serves on the Michigan DNR's Outdoor Recreation Advisory Council. He was first elected to the Michigan Retailers Services board in 2011, and left to join the MRA board in 2018.

Bill Golden, owner of Golden Shoes in Traverse City, was elected as vice chair. Becky Beauchine Kulka is past chair.



Edsenga



Gremel

Kim Edsenga was elected to the MRA board, replacing Jim Walsh. Both have backgrounds with Meijer Inc. Bill Hallan, President and CEO of Michigan Retailers, thanked Jim for his service on the board.

"As the former CFO to Meijer, his skill set included an analytical mind coupled with financial savvy," Hallan said. "He served as the chair of our Audit Committee and was particularly helpful in ensuring that the company adhered to sound investment policies and guidelines."

Edsenga is Managing Counsel and Director, Compliance at Meijer. She holds a Bachelor of Business Administration from the University of Michigan Ross School of Business and a Juris Doctor from the University of Michigan Law School. Before joining Meijer in 2014, she spent eight years in private practice at two Chicago firms, specializing in borrower-side private equity finance transactions. She oversees a legal team supporting Meijer's retail operations, pharmacies and finance business units. She is also responsible for social compliance, licensing, corporate policies and record retention/information classification.

## MICHIGAN RETAILERS SERVICES BOARD

Earlier this year, SpartanNash's Meredith Gremel was elected to serve on the MRS Board, which oversees MRA's profit-boosting membership services arm. Gremel is responsible for corporate communications for SpartanNash's 19,000-plus associates, four service centers, 19 wholesale and military distribution centers, and more than 150 retail stores.

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# Heed common COVID violations and support liability legislation



AMY DRUMM  
MRA Vice President,  
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adrumm@retailers.com

*“MIOSHA ... has levied 25 fines on businesses, including six retailers.”*

Seven months ago I didn't have a COVID folder on my computer. Today that folder has more than 350 files, many focused on new rules and requirements we have to follow.

The current challenge is how enforcement of those requirements will be handled. There are multiple entities tasked with enforcement and each agency and inspector is hopefully (but not always) interpreting the rules the same way. MRA has asked numerous questions of state agencies to understand their processes and expectations and ensure that matches what our members are hearing when they are approached.

Over the last month, the Michigan Occupational Safety and Health Administration (MIOSHA) has taken the lead on enforcement and levied 25 fines on businesses, including six retailers, for not complying with one or more of the various safety requirements laid out via executive order.

Many of these were prompted by either a routine investigation or an investigation following a customer or employee complaint. MRA recommends that retailers and other businesses learn from those citations to ensure the business is following the requirements to avoid fines, penalties and reputational harm.

Violations that were cited include:

- lack of social distancing
- lack of a preparedness and response plan
- failure to follow the preparedness and response plan
- failure to post signs
- failure to post signs, markings, barriers at the time clock
- failure to designate a workplace COVID-19 supervisor
- failure to train employees on COVID-19
- failure to conduct the daily health screening including a questionnaire
- failure to maintain/retain documentation for training, entry screening and contact tracing
- failure to require face coverings when social distance could not be maintained
- failure to install physical barriers at a cash register where six feet of distance could not be maintained
- failure to provide cleaning supplies for high touch surfaces

There is an appeal process for complaints/violations, but it's best to avoid reaching that point. One tip that can prepare your business and employees is to train and inform all of your employees on all COVID-19 safety protocols. This is not only required by the executive

orders but since inspectors often speak directly with employees, they need to be able to have that information to provide accurate answers on all your business is doing to keep everyone safe. A best practice is to have that information readily available to and routinely reviewed by employees should an inspector request it.

MRA also wants to ensure that retailers who are following the requirements set forth by the governor and the CDC in good faith will have certainty that they need not fear frivolous lawsuits. Retailers should be protected from lawsuits, citations and the like if they were following the requirements and what was known at the time to best protect the health and safety of their employees and customers. The cost to fight a needless lawsuit or provide an unjustified settlement could force an already struggling business to close, impacting our already fragile economy.

## LIABILITY LEGISLATION

Legislation before the Michigan House and Senate (HB 6030-6032, HB 6101, and SB 1022-1024) seeks to offer these much-needed protections. The legislation would ensure the courts can easily distinguish and dismiss a no-injury lawsuit from a legitimate claim. Businesses would not be protected, however, if they egregiously or blatantly violate the requirements; like forcing a worker to report to work if that person is sick.

It would also ensure that businesses will be judged based on the requirements that were in place at the time. This will ensure the courts don't use hindsight by applying September science and executive orders to judge March or April actions. The bills would additionally protect those who have manufactured PPE and sanitization products to help fight COVID-19.

This legislation will help incentivize businesses to protect and promote workplace and customer safety since doing the right things will protect them from potential exposure claims.

If you agree that this would be helpful, please contact your state representative and state senator and urge their support of HB 6030-6032, HB 6101 and SB 1022-1024.

For general info on how to write a letter to your lawmakers, visit MRA's Take Action page under the Advocacy tab on our website. Remember, lawmakers want to hear from you and how they can help, especially now as we seek to strengthen the economy and consumer confidence.

# Should you consider using COVID-19 liability waivers?



THOMAS P. CLEMENT  
MRA General Counsel  
Contact Thomas at  
tclement@retailers.com

As the business reopening process expands to include hair salons and barbers, gyms, bowling alleys, ice rinks and other businesses that involve close human contact, the discussion around the effectiveness and enforceability of COVID-19 waivers has increased. I recently had a haircut appointment and before I could enter the building I had to have my temperature taken and complete a questionnaire. A friend of mine who owns a gym is taking precautions above and beyond mandated safety measures. Neither business, however, requires its customers to sign waivers. On the other hand, another friend of mine took his son to hockey practice the other day and was required to sign a waiver, perform a temperature check, and complete a questionnaire before they could enter the building. As I've listened to the conversations surrounding waivers and observed these interactions in my own life, I began to wonder if our members should be considering waivers for their customers or employees.

MRA argued for months that retailers were fully capable of a safe re-opening and MDHHS data clearly shows that we were right. The number of new cases associated with retail is remarkably low. The most important concern for any business is the health and safety of everyone who enters. This is accomplished by documenting and implementing State of Michigan and CDC protocols. MRA has worked hard to provide re-opening resources to our members. If you have any questions about your protocols, please visit our website at [retailers.com](http://retailers.com) or send an e-mail to [askus-first@retailers.com](mailto:askus-first@retailers.com). In addition to health and safety, COVID-19 liability is rightfully at the forefront of every business owner's mind.

The most pressing questions when it comes to waivers are whether they are enforceable and whether they might negatively impact business success or employee morale and loyalty.

Any COVID-19 liability waiver discussion should be premised on several important points. First, **at this point in time, the enforceability of COVID-19 waivers are untested in court.**

Second, both Congress and the Michigan Legislature are actively considering business liability protection legislation which, if signed into law, could negate or reduce the need for legal protection through a waiver. (See page 8 for more on this topic from Vice President of Governmental Affairs, Amy Drumm).

Third, a common misconception about any waiver is

that it completely absolves a party from liability. The reality is that waivers *may* apply to ordinary negligence circumstances, but they will not be enforceable where intentional conduct or gross negligence occurs. While waivers may help in certain circumstances, what is critically important is the ability to demonstrate adherence to all state of Michigan and CDC guidelines.

In the most basic form a waiver is an individual's acknowledgement that they are about to engage in an activity that includes some inherent risk and an agreement that they are assuming some degree of risk and giving up some legal remedies in order to engage in the activity. COVID-19 waivers may also include a specific acknowledgement that, at a minimum, all mandated precautions and protocols have been put into place. The analysis on whether one should be used is different depending on the relationship between the parties.

In the business-customer context, acknowledgement that precautions are being taken in accordance with the law and an assumption of some form of risk in order to partake in the activity has clear advantages but will not, in and of itself, relieve you from liability or avoid a lawsuit. Negligence lawsuits require a plaintiff to prove that the business was the proximate cause of the contraction of COVID-19. This can be difficult to prove, especially when the business can affirmatively demonstrate that they have followed the proper precautions and protocols. Without those, a waiver may carry no legal weight. With the proper precautions and protocols in place, the practical value of this waiver will vary depending on the nature of the business. A waiver may not be as critical for a retail store, operating under occupancy restrictions, with a customer base who conducts business in a socially distant manner, controlled environment and for a short period of time. On the other hand, a gym or ice rink, which operate in a less controlled environment with a customer base likely occupying the business for a longer period of time may have a different view.

The employee-employer context requires a different analysis. First, just like the business-customer context, no waiver can replace the requirement that businesses maintain a safe environment. Second, workers' compensation laws do not permit employees to waive away their rights to benefits arising from disease or injury arising in the course of employment. Of course, just because an employee contracts COVID-19

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*"The most pressing questions when it comes to waivers are whether they are enforceable."*

# Michigan Retail Outlook webinar explores reopening, recovery, rents

By **SHANDRA MARTINEZ**

## How is Michigan's retail sector responding to COVID-19?

That was the focus of a Michigan Retail Outlook webinar, sponsored by Shopping Center Business magazine. Experts represented a cross-section of those in the industry, from real estate to construction. Here are some highlights of the conversation.

### PANELISTS WERE:

Deno Bistolarides  
**Encore Real Estate Investment Services**

Thomas Litzler  
**Schostak Brothers & Co.**

Cynthia Kratchman  
**Mid-America Real Estate — Michigan**

Nathan Forbes  
**The Forbes Co.**

Mike McBride  
**RPT Realty**

Eric Larson  
**CEO of Downtown Detroit Partnership**

Moderator Todd Sachse  
**Sachse Construction**

Q & A

## How has Gov. Gretchen Whitmer's six-phase reopening plan been received by the retail industry?

"A lack of clarity is what kills these retailers. And I do believe we are ready, at least from my perspective, to get to the next level of opening in the shopping centers, because I still think we're too restricted. We're forcing too few people into the stores, too many people into the common areas, and we have to focus on masks, self-distancing and washing of hands so we can eliminate some of those barriers and some of those problems."

— **Bistolarides**

"There's a lot of retailers that are really languishing. On the other hand, there's some that are really thriving. The dollar stores, the essential businesses, supermarkets; the businesses that had adapted early on to delivery and curbside pickup are thriving in this environment, so it's really a mixed bag right now."

— **Litzler**

"Our portfolio went back up to 95% operating in terms of occupancy in all of our malls, but we're only collecting about 70% of rents, so there's a gap there of stores that have opened that have chosen unilaterally to pay partial rents or zero rents until we work out what they consider to be a fair COVID relief package — whether that's rent abatement, rent deferrals or a combination thereof. There's lease extensions involved; there's waiving of co-tenancy requirements involved; elimination of kick-outs involved. We have three full-time leasing people doing nothing but working on leases of the 530 retailers we had to get us through that closure period of COVID. So we are working on that, and now we have the grand opening. Every retailer tells us a different story. The ramp-ups are different. The luxury guys are doing great."

— **Forbes**

"Art Van went out of business. There's people stepping into that space. The furniture category is really on fire. You've got Loves Furniture, Ashley HomeStore, Bob's Discount Furniture, At Home taking a lot of those. Everybody's making deals in the furniture space. Pure Sleep went out. You've got Mattress Firm and US-Mattress. So there's a lot of that going on from an opportunistic standpoint."

— **Kratchman**

## What can property owners and managers do to help retail tenants through difficult circumstances? What do retailers need to recover?

"I think it has a lot to do with omnichannel (a cross-channel sales strategy). That's the big word. And I think that the retailers that are going to be successful going forward really get how to do this. Landlords need to be cooperative in terms of online pickup and curbside pickup because shopping centers weren't built that way. Young people are really good at omnichannel!"

— **Kratchman**

“People want to see other people. They eventually want to be in touch with the merchandise, so it’s not just the urban centers. . . . Once they open these gates, I feel like they’re going to run back to the malls and, obviously, the downtowns.”

— **Kratchman**

“Customers want the opportunity to drive in and have touchless service, and I think that’s going to be something that stays with us long term. We’ve installed over 1,500 common area, 15-minute parcel pickup spaces throughout our portfolio. Tenants are gravitating to it, and we’re finding customers are thrilled with it.”

— **McBride**

“We have existing tenants that are expanding their outdoor seating and planning ahead for such events, adding cover, adding the plastic, vinyl, outdoor heaters and things of that nature. In most cases, our sidewalks are even expanding into the parking lot. They’re able to secure and expand their outdoor seating area. It’s a longer-term fix, so it’s not just putting chairs and tables out front, although some are doing that and we’re working with them. We’re seeing others prepare for the longer term with those types of outdoor equipment.”

— **McBride**

## How will retail rents and property values be affected? What are the predictions for retail vacancy rates in the coming year?

“We aren’t seeing so much change in the leasing tactics as much as the real question as to how this plays out. How does it play out as we get into the colder months? How does it play out in terms of any additional support at the federal level? So there’s a lot of questions and concerns about what ultimately happens. What are lenders able to do and willing to do as we go down the line? . . . It depends on what type of lender you have. If you’ve got a (commercial mortgage-backed securities loan), forget it. If you’ve got a local bank, you’re in a lot better shape. So all of that has to sort of flush itself out. I think the next couple of months is going to be very telling as to how impactful this is.”

— **Larson**

“So when the retailers figure out what their matrix is of brick and mortar, e-commerce business, the landlords and developers better be there to support that infrastructure. Landlords need to become agnostic as to how the retailers make their sale, whether it’s e-commerce or brick and mortar. We better be the conduit and the service provider.”

— **Forbes**

“A lot of the national retailers, high-end retailers and restaurateurs, which is kind of our niche, are demanding a lot more from their landlords. So we’re doing a lot more landlord work than we have in the past in terms of quantity, as far as the number of spaces or areas, but also in doing more like, say, ‘OK, you’re building my bathroom, gonna do my storefront’ all the way down to turnkeys, where landlords are making deals with tenants.”

— **Sachse**

## What will be the impact on new development and investment sales in the retail sector in the near term?

“We are doing a whole personal styling initiative, personal shopping suites in all the malls with multiple personal shoppers, home delivery, curbside delivery, holiday pop-ups for stores, so they can put people through their stores quicker to do gift wrapping, and tailoring shops in our vacant spaces. It’s not just the curtain that goes up every day at 10 a.m. anymore. You better figure out how to make it easy for that consumer that used to come four to five times a month and now comes once to twice a month.”

— **Forbes**

“We have an election coming up in November. Nobody knows who’s going to be in charge, and that plays into it a lot. I think a lot of retailers are actually taking a cautious approach moving forward. . . . There’s a lot of unknowns.”

— **Bistolarides**

“We sell real estate investments. We’re extremely busy right now, and a lot of that (is driven) by potential tax law changes moving forward. . . . We’re seeing a lot of our clients sell assets. . . . I think also people are expecting tax increases in general, which will affect your ability to raise rents on tenants.”

— **Bistolarides**



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Far left: Clawson held a sidewalk sale that had two dinosaurs handing out fun face masks to kids.

Near left: Farmington bought umbrellas for outdoor seating.

Opposite page, top: Dearborn started a "Love Your Local" promotion.

Opposite page, bottom: Northville closed its main street to let retailers sell merchandise outside.

# 6 ways downtowns are helping merchants during the pandemic

By **SHANDRA MARTINEZ**

Whether it's providing access to experts or adding more outdoor seating, downtowns across Michigan are finding creative ways to support small business during the global pandemic.

With restrictions that limit the number of shoppers inside buildings, taking advantage of outdoor space has been crucial.

There are many ways Downtown Development Authorities can support retailers, according to Dana Walker, Michigan Downtown Association director. As people feel more comfortable dining al fresco, Walker suggests DDAs consider an effort to keep those people downtown.

"We've had to use a really wide variety of tools to try to address each business' specific, unique needs," said Lori Ward, director of the Northville DDA. "I think we've done a pretty good job of trying to give everybody an opportunity to succeed, so that's exciting."

Here are some other ways DDAs and other organizations are supporting merchants across the state:

**1. SOCIAL DISTRICTS.** Grand Rapids, Northville, Cadillac and Muskegon are among the communities taking advantage of newly passed legislation enabling carryout options for alcoholic drinks from restaurants and bars. It also gives local governments the power to create social districts that allow participating restaurants and bars to obtain a special permit to sell alcohol that can be consumed in the common areas of the downtown.

Muskegon expects to launch its social district this fall and expand it by several square blocks in the spring. "This is a new tool to get more people out and about. We want to create a permanent street festival atmosphere downtown," said Dave Alexander, Muskegon DDA's business development manager.

Northville dubbed its social district "The Twist," inspired by its logo touting Northville as "timeless ... with a twist." The social district includes two closed streets connected to the downtown's two plazas, now filled with moveable tables and chairs. "Normally, we

have yoga classes and performances there, but this summer we really wanted to leave the plazas for our residents and our visitors just to have a kind of safe haven that they could control," Ward said.

**2. GRANTS.** Dearborn (which consists of East and West DDAs) partnered with local nonprofits to provide \$150,000 in grants to help 70 of the city's small businesses. Most of the grants were between \$2,500-\$5,000. The collaboration pumped money back into the downtown.

The Michigan West Coast Chamber of Commerce, which serves the neighboring communities of Holland and Zeeland, offered grants of up to \$10,000 to struggling businesses through its foundation to help pay rent and utilities.

**3. EXPERTISE.** Farmington's DDA partnered with a local attorney, who offered a 30-minute free consultation with merchants to answer legal questions about a range of issues — from how to prevent evictions to dealing with vendors during the pandemic. Nearly a dozen businesses took advantage of the service, which is still available. The Farmington DDA also contracted with a liquor license advocate to help local businesses apply for permission to extend their liquor licenses to serve drinks outdoors.

Dearborn launched a business assistance team, partnering with more than 25 organizations from the University of Michigan-Dearborn to the Small Business Administration to provide a range of free resources. "This is something that we had been looking at doing for a while and, when we went into shutdown, we said, 'We've got to get this up and running,'" said Cristina Sheppard-Decius, executive director of the East and West Dearborn DDAs. "This brings together a lot of resources that can help businesses look at things from a different angle and give them some good suggestions on what they can tweak."

**4. CAMPAIGNS.** The city of South Lyon, Lyon Township and the Kensington Valley Chamber of Commerce are collaborating on a "Show Your Love For Lyon" campaign. It encourages the community to unite behind businesses and support them to generate some needed dollars for the local economy.

“We passed out free marketing kits to merchants with posters for windows and checkouts, stickers and an option to order T-shirts,” said DDA Director Nathan Mack. “We’re also doing an advertising campaign and feather flags and banners with our message, ‘Shop Local Dine Local.’” Dearborn spent more than \$25,000 on “Love Your Local. Reimmerse in Commerce” campaign, featuring advertising, banners, window displays, sanitizing stations and campaign videos.

Other communities are reminding residents of the importance of supporting the local economy with signage and logos. There’s “Love Local Rochester” and Zeeland’s “Heal the Zeel.” In northern Ottawa County, Grand Haven, Spring Lake and Ferrysburg are doing versions of “For the Love of” community masks to encourage people to wear masks so businesses can stay open.

**5. PROMOTING OUTDOOR SPACE.** Traverse City and Northville were among downtowns that closed down streets, while other downtowns let merchants take over sidewalk and parking spaces. Northville used a special event application approved by the city council to close two streets to provide room for businesses to expand outdoors.

“We’re able to allow the retailers to move onto the sidewalk so that they could sell merchandise outside,” said Northville DDA’s Ward. “A lot of them really rose to the occasion. They put up beautiful displays, and

they lug stuff out every day and they lug it back in without a complaint.”

Northville also brought back live music every Friday and Saturday evening that’s meant to be background music while people dine and shop, rather than a performance that draws an audience. “We don’t have them on a stage where people will crowd in and just sit close to each other,” Ward said.

The city of Holland extended its outdoor expansion program through Dec. 1 so shops and restaurants can continue to use sidewalks and parking spaces. Milford created a program where restaurants could purchase decking that fits together like Legos to create expanded outdoor space. Milford Public Works installed the decks.

“We had to find a system that we could use fast and that is adjustable to different ground surfaces,” said DDA Milford Executive Director Ann Barnette, adding that a local builder suggested a floating paver system. Each paver can be adjusted up or down by two to four inches. “That allowed us to approve all the decks at once instead of individually, which saved a lot of time.”

Farmington spent money on umbrellas for outdoor seating at downtown restaurants and stores. “We wanted to create a district that was a destination,” explained Kate Knight, with Farmington’s DDA, which invested in the umbrellas, tables, chairs and containers to create a uniform look.

**6. OUTDOOR ACTIVITIES.** Several downtowns are using sidewalk sales to create outdoor shopping opportunities. Farmington did both a sidewalk sale and Girlfriends Night Out, with many merchants taking part and promoting the events.

Clawson held an Open Air Sidewalk Sale in August that featured eye-catching circus performers on unicycles and stilts. “We had a lot of activity along the sidewalks, and it was all planned out so people could keep moving,” said Clawson DDA Director Joan Horton, noting that two merchants teamed up to buy children’s masks decorated with dinosaurs and then had people dressed like dinosaurs hand them out. The DDA is planning another strolling event in October, she said.

While the challenges of the pandemic have resulted in some downtown businesses closing, there have also been businesses expanding and trying out new concepts.

“I have been blown away by the creativity and the resilience of some of the retailers in the downtown,” said Northville’s Ward. “We’ve had three downtown businesses expand or open. I’m just awestruck that there are still people able to grow in this time.”

Some of the changes the DDA developed during the pandemic to help merchants might stick, like offering live background music instead of concerts.

“I think we’ve learned some things through this great experiment that we’ve been doing,” Ward said.

*Looking toward the snowy season downtowns are looking at winter markets, over-the-top window displays, literal window shopping with QR codes for shoppers who want to buy on the spot, and lots of propane heaters for outdoor seating areas. Let us know what you plan and we may write about it in our December issue! Send your winter activation plan to Meegan Holland at [mholland@retailers.com](mailto:mholland@retailers.com).*



# What goes into a **MURAL**?

Eye-popping or thought-provoking, art draws attention to your store

Story by **MEEGAN HOLLAND**  
Photos by **DAVID TRUMPIE**

Several Michigan communities have been seeing murals pop up all over their downtowns for the past couple years. The art form has exploded in popularity after some cities started projects that brought in artists from around the nation – even the globe – for festivals that decorated walls of commercial districts.

It happened in Jackson, with the “Bright Walls” festival, and last year in Lansing, with its “Below the Stacks” painting marathon.

Now another mural will add to the 10 that came to fruition through the Below the Stacks festival: A brightly colored cor-



nucopia of fresh fruits and vegetables that spills across the massive back wall of the new Meijer-owned Capital City Market in downtown Lansing, an urban grocery store scheduled to open in mid-October. Since mid-August, artist Brian Whitfield has been in a hard hat and often on a lift, working alongside the construction crews as they all put finishing touches on the building.

The Capital City Market mural makes for an eye-popping, cheerful entrance to shoppers from the back parking lot, especially on a gray winter day.

“Meijer is committed to enriching lives in the communities we serve, and art is a great way to express those ties,” said Mitch Cook, store manager. “As you can see with our mural, it shows that our store will help lift the community and businesses by offering fresh food in downtown Lansing, filling a need.”

The building developer, Lansing-based Gillespie Group, is known for incorporating color into its building facades. They helped Meijer go a step further with this mural.

“We believe that art is truly important in strengthening any culture and city,” said Ashley Brzezinski, director of marketing for Gillespie

*Left: For Lansing’s Below the Stacks mural festival, the artist Sentrock added to his array of murals featuring variations of this bird. His motto: “Bird don’t fly in the cage, sun don’t shine in the shade.”*

1. Artist Brian Whitfield mixes paint colors for a mural Meijer's Capital City Market in Lansing.  
 2. The street side of the store, which opens in mid-October.  
 3. Whitfield rented a lift to paint the massive work on the store's back wall. This photo shows only half the mural.



Group. "It communicates the heart of the people that make up the community. We love what the local artists are doing to add vibrancy to spaces through murals and art pieces."

Partnerships are often what lead to murals that grace the sides of buildings. The Jackson Young Professionals partnered with several organizations to bring together muralists for the Bright Walls Festival in 2018, which helped draw attention to the downtown. It was repeated in 2019, and was going to be revived for 2020 until the pandemic hit. The results have been so stunning that the Chicago Tribune named the small, southern Michigan city as one of the 10 best Midwest places to visit in 2020.

Another notable partnership can be found in East Lansing, the only Michigan city to have a "Percent for Art" program, which requires developers to contribute one percent of their development costs, or a minimum of \$25,000, to a work of public art. It could be a sculpture, but some have chosen murals.

If you're a store owner with a blank wall screaming for a mural, such a partnership may be the way to go. Check with your regional arts council for information about grants or other ways to help fund a mural. Many also have lists of artists who paint murals, if you have the budget and a plan ready to go.

Brian Whitfield, a well-known muralist in Lansing who's executing

the Capital City Market mural, says you want to have some concept in mind before approaching an artist. Murals often depict topics that have nothing to do with the store – but they draw eyeballs to your building, and that's a good thing. Curious about concepts? Just Google "Bright Walls in Jackson" or "Below the Stacks in Lansing" to see the over-the-top subject matter.

Many artists will encourage you to think beyond the obvious icons in your town. The East Lansing Arts Commission, for example, often tells developers that no, they don't have to incorporate Sparty or other MSU symbols into the artwork.

Murals can be eye candy, or thought-provoking – it depends on what message you want to send. "As a retailer, you may not want to offend any customers. Or you may want to make a statement and say, 'This is us and this what we're going to do.' But then you need to be prepared to deal with any blow-back," says Whitfield, who has done historic-oriented murals in Lansing, but also more abstract topics. He also has done interior murals, which are a good alternative if you don't have the budget or a wall for an exterior mural.

"A mural can simply be a doorway," he said.

For your Request for Proposal (RFP), you need to have an

*continued on page 16*

# Mural

continued from page 15

accurate measurement of the wall and detail about any windows, electrical boxes or other infrastructure. “The more accurate you can get, the better because then the artist doesn’t have any surprises and doesn’t have to redesign the concept,” says Whitfield.

Once the artist is chosen, several factors go into pricing. Some artists charge by the hour. Whitfield opts to charge by the square footage and the complexity of the mural, because he wants flexibility on time to get the mural done right. If you want a detailed portrait of a person, that will be much more expensive than a mural with large print or a clean-lined landscape, for example. Prices could range from a very low \$10/square foot up to \$25/square foot.

You’ll also need to decide who pays for supplies – does the artist absorb the cost of paint, a lift if needed and the graffiti protective coating? Who primes the wall? Whitfield suggests using a high-quality paint, because the mural will last longer.

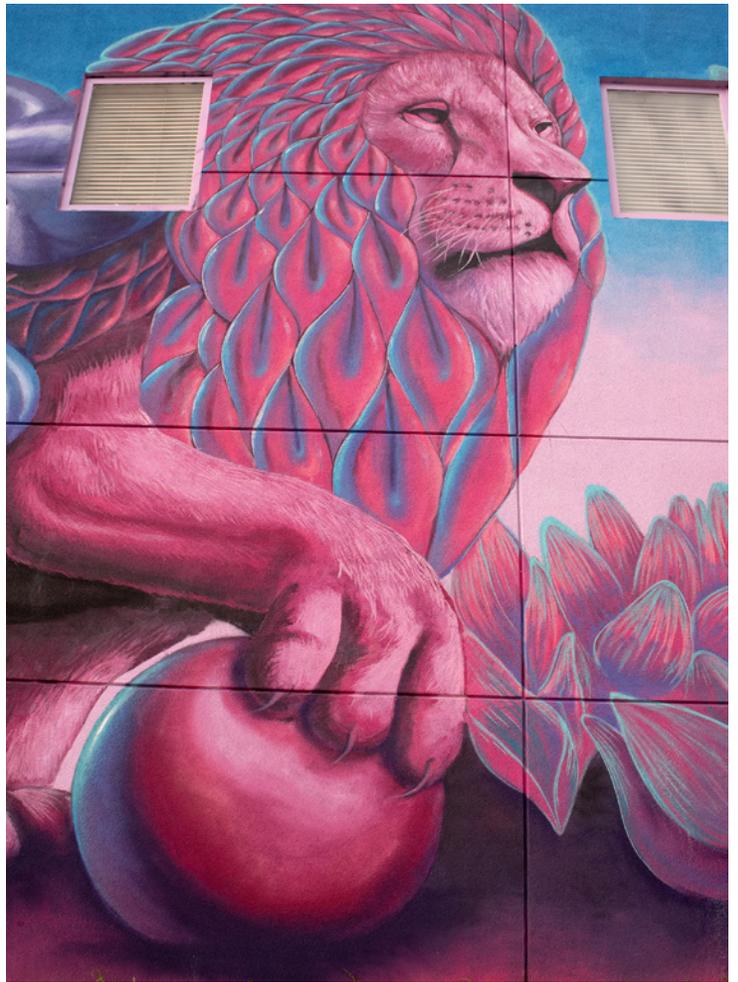
And of course, make sure everybody is properly insured for liability.

Once the artist sketches the mural or designs it on a computer, be sure to have several sets of eyes on it to ensure something doesn’t unintentionally become the story. Whitfield recalls when someone spotted a phallic image in a bowl of spaghetti that he had sketched for a historic mural that was to grace a block that once had a long-time Italian restaurant. He was shocked because it was totally unintentional, “but once you saw it, you couldn’t un-see it!”

Whitfield worked closely with Meijer on the subject matter. He initially had people in the mural, but those came out. Small houses stayed in after some debate among Meijer folks.

“I’m a graphic artist, so I put my graphics arts hat on with a mural - whatever the client wants, you just use your skills to give them what they want. As a fine artist, you can say, ‘I do whatever I want and you accept it.’”

Whitfield is a graphic artist for the Michigan Department of Transportation; his design for the Mackinac Bridge license plate was voted the world’s best new plate by the Automobile License Plate Collectors Association in 2014. He’s also an accomplished fine artist and has sold many pieces through galleries. He was trained



at Kendall College of Art & Design and earned an MFA in painting from Maryland Institute College of Art.

He also suggests giving the artist flexibility on time. For this interview, Whitfield was just finishing up the fruit side of the Meijer Capital City Market mural and looking at the vegetable side. He had hand brushed all of it, and sometimes twice for complete coverage.

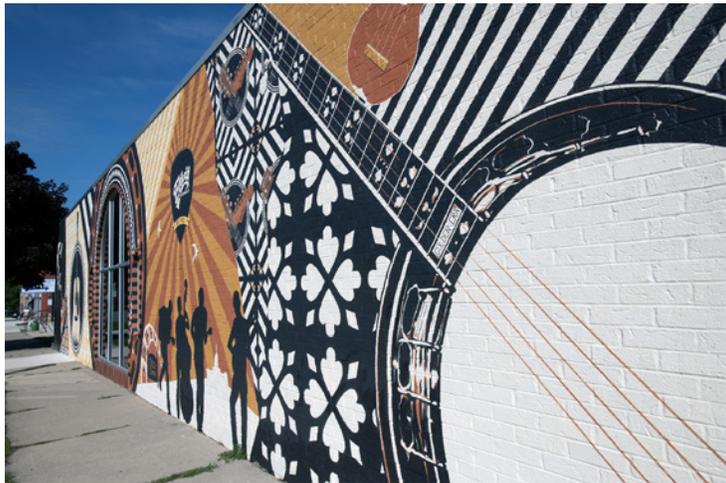
“I can paint from early morning, with a short break in the middle until it gets dark if everything is clicking. If it’s not going well, then mentally you can break down. The apples, mentally, were a struggle. It was really hot and things weren’t going right. Paint was drying too fast and the colors weren’t coming out right. But when things are clicking, you can just keep going.”

And if you want to change the design mid-course, just know that’s not easy. “If a mural requires a change, you have to do a lot of planning, while a piece of fine art is easier to improvise,” he said.

Once the mural is done, you need to honor it with proper lighting and landscaping. Too many murals go to waste in dark parking lots overgrown with weeds.

Murals have a life cycle. If you want one to last for years, a store owner must be prepared to maintain it – and pay someone to do so. Most artists want right of first refusal to maintain, repair or change their own mural if necessary.

As Whitfield says, creating a mural “is a process. It has a beginning and it has a finish, but it doesn’t quite have an end.”





## Ideal timeline for installing a mural

### August

Start fleshing out the concept (provocative or customer oriented?)

### September

Finding an artist (Arts council, for example.) Put out an RFP with a deadline of late October

### November

Choose artist and negotiate price

### December-April

Go back and forth with artist to refine sketch

### May-June

The mural is painted

### June

Schedule your grand reveal!

Opposite page, top:  
The artist Werc, from Texas and Mexico, often paints exotic animals. This appears on a main thoroughfare in Lansing, and was done during the Below the Stacks festival. Opposite page, bottom: Elderly Instruments, a beloved stringed instrument store in Lansing, graced the side of its building in 2015 with a mural that reflects the store's vibe. It was created by Jennifer Springman.

This page, top:  
An MSU artist in residence, Nanibah Nani Chacon, painted this in Lansing's Old Town to reflect the neighborhood's Latino roots. This page, bottom:  
Old Town Lansing's jazz and blues festivals are honored in this mural, a collaboration with art students and muralists.





# In her own words

Owner Mary Cambruzzi and store manager Michael Smothers set up a store display.

## FOUND

**Opened:** 2005

**MRA member since:** 2005

**Location:** 415 N. 5<sup>th</sup> Ave., Ann Arbor

**Specialties:** home décor, linens, pillows, gifts

**Owner:** Mary Cambruzzi

**MRA Services:** Bankcard, workers' compensation, gift card

Story by **RACHEL SCHRAUBEN**

Does your business have a unique story?

Contact [rschrauben@retailers.com](mailto:rschrauben@retailers.com).

“We’re navigating through it.”

Those were the first words from Mary Cambruzzi after we hadn’t spoken in a few months – unprecedented months for retail in Michigan. FOUND was set to be the April Retailer magazine’s “In Her Own Words” feature. And then retail shut down.

FOUND opened 15 years ago in the Kerrytown district of Ann Arbor. When you visit you’ll find an array of hand-chosen gifts selected by store owner Mary Cambruzzi. She constantly hunts for items that have character and tell a story. Pre-pandemic, it was a store that thrived on people touching the fabric of a pillow or picking up a piece of pottery. Once COVID hit, she had to adapt quickly and often.

Although Cambruzzi regularly changes and updates her 3,000-square-foot store as tastes evolve and new items trend, she shares how a global pandemic has forced her to change her merchandise and day-by-day operations.

**I’ve always believed...**

there are three broad areas that make each individual store a little bit different from another one. One is the product. The second, another critical thing, is presentation. Lastly, the customer experience. That still remains true today. We’ve just had to alter how we present



From top left: Cambuzzi with a pottery collection; Smothers tends to a customer; a look at FOUND's main floor from above; an art collection in FOUND; Cambuzzi with a pottery mobile crafted by Katie Bramlage.

things and changed the customer experience. We've done some Facebook Lives and we've looked at how we present things online a little bit differently to encourage people to shop in different ways.

I think it will be awhile until the bulk of my customers feel comfortable shopping in a physical store and as far as customer experience, we need to give them opportunities to shop in other ways. We've had customers on Facetime walking them around the store and showing them what we have. It's personal, just not in person.

### **We transformed and re-vamped...**

our website into having hundreds more products than the previous site. That happened in the first few weeks of the shutdown and as things started gradually being allowed, like curbside pick-up and shop-by-appointment, we were ready to direct people to our website to order.

It was a big task that we'd never taken the time to do before because our focus was on the brick and mortar store. It's something that should've been done a long time ago, but the pandemic sort of pushed us into completing it. I think it will be a good thing in the long-run.

It's important to look at the opportunities this pandemic has presented us. It's not something I would have ever wanted to happen, but I had this opportunity to update my site, re-vamp my store and think about my product choice in a way that will hopefully make my store stronger in the long-run. It's very difficult now, but hopefully the steps I take now will make us stronger.

### **Information was changing so quickly,**

especially in those first few weeks. I made decisions as they needed to be made instead of worrying too far ahead. Not only the incoming information, but requirements changed so rapidly and day-by-day. I found it to my advantage to just sit back and do what was critical that day and just decide that I was going to let things flow through and do what I had to do for tomorrow's tomorrow.

### **Looking ahead,**

and as we get into the fourth quarter, we want to set up an appointment scheduling app so customers can come in during the evening and do their normal holiday shopping without having to worry about crowds, or having to wait to come inside.

We've had times on Saturdays when we've had to ask people to wait outside because we can't maintain the distance inside. We're very careful about that and I think our core customers are very conscientious about public health and safety.

I know that if we would be lax on enforcing some of these rules, we would, without a doubt, lose a bunch of core customers. We'll always put safety first and protect our staff and customers.

Retailing and the world has changed and will never go back to the way it was before. It's important to recognize that and to take the core of what we do and adapt it into ways of what the future will look like.

It was just hard to have it all happen so fast.

Photos by **STEVE JESSMORE**



## ORIN JEWELERS ANNOUNCES CHANGES FOR 67-YEAR FAMILY BUSINESS

*Garden City store closes after 67 years; third generation takes over Northville location*

After 67 years in Garden City, Orin Jewelers closed that location and consolidated operations into its Northville showroom and promoted the third generation to leadership of this respected family jewelry store.

The announcement is full of emotions for Orin Mazzoni Jr., president and CEO, as he says good-bye to the store his parents founded and that he has built over the past 51 years in Garden City. But he's confident the family legacy will continue at the Northville location with the help of his youngest daughter, Antoinette.

He tells of his father Orin Sr., a watchmaker by trade, and his mother, Mary, who opened their first jewelry store in Weirton, West Virginia in 1933. Orin Sr. devoted his younger years to building his reputation as a watchmaker. A man who left school in the sixth grade, Orin Sr. became known for superior service at a fair price.

Orin Sr. and Mary moved their family and business to Garden City in 1953, raising their four children in a two bedroom flat above their original jewelry store. Orin Jr. jokes that he and his siblings learned the family business from the "bottom up". Orin Jr., sisters Caroline and Joyce, and brother Michael grew up working in the family store. Joyce continued to work with Orin Jr. for over 50 years at the Garden City showroom.

Orin Jewelers moved to 29317 Ford Road in 1965. Orin Sr. purchased the majestic building that once housed the National Bank of Detroit and Garden City's City Hall. The move gained space for the jeweler to expand its services and collections, earning it the reputation as Detroit's home for fine diamonds, jewelry and watches.

Orin Jr. took over the business in 1969 when his father retired. He earned his Graduate Gemologist degree from the Gemological Institute of America (GIA) in 1977. Orin Jewelers opened a second showroom in downtown Northville in 1983, celebrating 37 years of business at the corner of Main and Center.

Knowing that "to whom much is given, much will be expected", the jeweler has donated to many causes with sponsorships, products, and services; and offers an annual scholarship in Orin and Mary Mazzoni's name for a graduating senior at Garden City and Northville High Schools, as well as a scholarship for incoming freshman

at Detroit Catholic Central High School.

Orin Jr. also serves on the board of the Michigan Retailers Association, and as chair from 2016 to 2018. He also has established a scholarship as part of the Michigan Retailers Foundation.

At 74, Orin Jr. says it's time to consolidate and secure the success of the next generation of Orin Jewelers, with Antoinette continuing the family legacy in the Northville location. Orin Jr. and his wife, Tina, have been married for 51 years.

## PANDEMIC ECONOMIC INDEX

CNN Business and Moody's Analytics have partnered to create a Back-to-Normal Index, which can be found at [cnn.it/3iRSSD7](https://www.cnn.com/2020/07/27/economy/back-to-normal-index/index.html).

The index shows which states are closest to and furthest from returning to their pre-pandemic economies. Mark Zandi is the chief economist of Moody's Analytics.

The Back-to-Normal Index combines 37 indicators, including traditional government statistics and metrics from a host of private firms to capture economic trends nationally and across states in real time. The government statistics cover retail sales, industrial production, durable goods orders and housing starts, to name a few.

"States that locked down hard early on but are now enjoying lower infection rates and stronger economies include Illinois, Michigan, New Hampshire and Rhode Island," the CNN story states.

"States that were quicker to end shelter-in-place rules and to reopen in the spring have paid an economic price. Our Back-to-Normal indices for Arizona, Florida, South Carolina and Texas indicate that their economies have effectively gone nowhere since mid-May."



*Top: Orin Mazzoni Jr. and his daughter Antoinette are taking the family jewelry business into a new phase. Bottom: The original Orin Jewelers, which opened in Garden City 67 years ago.*

## MRA MEMBER APPOINTED TO DRONES TASK FORCE

Joseph W. Faust, of Westland, website and social media manager for Nankin Hobby, will serve on the Michigan Unmanned Aircraft Systems Task Force.

Previously, Tom Scott, former VP of Communications and Marketing, served on the task force until July 31, 2020. Faust represents retailers who sell drones so they can have a voice in how drones are regulated.

Faust was chosen because "he has a genuine interest in the field... (and) a passion for drones," according to Zach Hayward, Appointments Specialist with Gov. Gretchen Whitmer's office.

He holds a BA in linguistics and cognitive science from the University of Michigan, and represents retail on the task force. He will serve until July 31, 2024.

# Prediction: The most popular holiday shopping days

Experts from ShopperTrak predict these will be the top 10 shopping days between Thanksgiving and Jan. 1.

But of course the pandemic is having an impact. They say that this year's top 10 dates will not be as impactful as in prior seasons. For example, in 2015, the top 10 days accounted for 37.9% of total holiday period traffic. In 2019, that went up to 46.5%.

This year, it's expected to be 34.2% of the traffic.

Make sure to move inventory out on to the floor fast on the following days:

## 2020 TOP 10 shopping days



## MRA joins two state initiatives

MRA recently lent its support to two programs:

**Futures for Frontliners:** This program offers free tuition to Michiganders who worked in essential industries during the April 1-June 30 period but do not have a college degree. The tuition is good at the workers' local community college.

**Spread Hope, Not COVID:** This initiative educates people on the importance of wearing facemasks. You'll see social media posts and advertisements sponsored by the state on this topic.

## Toned-down Buy Nearby Weekend

Due to COVID, MRA didn't send Buy Nearby Guy around the state to celebrate Buy Nearby Weekend. But the association partnered with Downtown Lansing Inc. on a "Where's Waldo" style contest to find the mascot's image around its commercial districts. Participants who posted photos with the images using the hashtags #buynearby and #liftuplocal were entered for a chance to win gift cards.

## Annual meeting

*continued from page 7*

She also oversees SpartanNash's corporate responsibility initiatives and facilitates impacting distribution, retail and service center states. Gremel joined SpartanNash in 2014. She holds a bachelor's degree from the University of Michigan. She was appointed in February to a partial term and was elected to a one-year term starting Aug. 26.

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# Legally Speaking

continued from page 9

does not mean it was in the course of their employment, but that will be the subject of a lawsuit regardless of whether a waiver was signed.

Third, employers need to consider how they will deal with employees that refuse to sign the waiver. Disciplinary action may lead to a separate set of legal issues, while requiring some employees to sign and others to not sign may result in resentment.

You need to consider also that requiring employees to sign waivers may negatively impact their morale. Employers often speak of a team mentality while a waiver may project the opposite sentiment. While all businesses are different, the benefits in obtaining waivers from employees may be outweighed by the unintended consequences.

Finally, you should consider the impact implementation of a waiver requirement will have on your business. The retail industry is emerging from a very difficult several months and businesses are rebounding.

For example, consider the customers who may walk away and whether you want to sacrifice that business.

Maximum legal protection is always important, but in the context of COVID-19 waivers, you will need to balance the health of your business with the benefits of a waiver.

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1. Publication Title: Michigan Retailer

2. Publication Number: 3 4 5 7 8 0

3. Filing Date: 09/14/2020

4. Issue Frequency: Feb., April, June, Aug., Oct. Dec.

5. Number of Issues Published Annually: 6

6. Annual Subscription Price: \$20.00

7. Complete Mailing Address of Known Office of Publication (Not printer) (Street, city, county, state, and ZIP+4®): 603 S. Washington Ave., Lansing (Ingham County), MI 48933-2381

8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer): 603 S. Washington Ave., Lansing (Ingham County), MI 48933-2381

9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank):  
 Publisher (Name and complete mailing address): William J. Hallan, 603 S. Washington Ave., Lansing, MI 48933-2381  
 Editor (Name and complete mailing address): Meegan Holland, 603 S. Washington Ave., Lansing, MI 48933-2381  
 Managing Editor (Name and complete mailing address): N/A

10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)

Full Name	Complete Mailing Address
Michigan Retailers Association	603 S Washington Ave., Lansing, MI 48933

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box  None

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12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one)  
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 Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)

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13. Publication Title: Michigan Retailer

14. Issue Date for Circulation Data Below: 08/01/2020

15. Extent and Nature of Circulation

		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (Net press run)			
b. Paid Circulation (By Mail and Outside the Mail)	(1) Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	2496	3712
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c. Total Paid Distribution (Sum of 15b (1), (2), (3), and (4))		2686	4092
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e. Total Free or Nominal Rate Distribution (Sum of 15d (1), (2), (3) and (4))		115	150
f. Total Distribution (Sum of 15c and 15e)		2801	4242
g. Copies not Distributed (See Instructions to Publishers #4 (page #3))		132	158
h. Total (Sum of 15f and g)		2933	4400
i. Percent Paid (15c divided by 15f times 100)		95.89	96.46

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**Statement of Ownership, Management, and Circulation**

16. Electronic Copy Circulation

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a. Paid Electronic Copies		
b. Total Paid Print Copies (Line 15c) + Paid Electronic Copies (Line 16a)	2686	0
c. Total Print Distribution (Line 15f) + Paid Electronic Copies (Line 16a)	2801	4242
d. Percent Paid (Both Print & Electronic Copies) (16b divided by 16c × 100)		

I certify that 60% of all my distributed copies (electronic and print) are paid above a nominal price.

17. Publication of Statement of Ownership  
 If the publication is a general publication, publication of this statement is required. Will be printed in the 10/1/20 issue of this publication.  Publication not required.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner: Meegan Holland, Date: 09/14/2020

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

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