

NFM Regular Board Meeting 4/19/2017 Minutes

The regularly scheduled meeting of the Nashville Farmers' Market Board was called to order by Board Chair Frank Cardenas at 9:40 am April 19, 2017

In attendance were Board members Cardenas, Priscilla Norman, Tyler Brown and Margot McCormack. NFM Staff members present were Tasha Kennard, Carolyn Sanders, Charles Kizer, Jackie Conteras, Rebecah Boynton and Kay West, and Metro Legal representative Susan Jones. A quorum was present.

Also in attendance: Beth Piper, Briana Nightingale, Andy Boyles, Adam Acampara, Jim Odom, Tim McKinney, Amy Croger, Fidel Vasquez and Oscar Flores.

Chair Cardenas read the following standard announcement.

As information for our audience, if you are not satisfied with a decision made by the Farmers' Market Board today, you may appeal the decision by petitioning for a writ of cert with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of entry of the Board's decision. To ensure that your appeal is filed in a timely manner, and that all procedural requirements have been met, please be advised that you should contact your own independent legal counsel.

Public comments were invited at the start of the meeting to ensure that anyone who wants to comment can do so prior to the Board discussing the business on the agenda. Chair Cardenas read the following standard announcement:

Individuals, requesting to address the Board; will be limited three (3) minutes unless granted more time by the Board Chair. Each person authorized to speak is expected to state her/his name and address and the organization represented if any, and if the speaker reads prepared text, to provide a copy to Board staff.

No public comments at that time.

Chair Cardenas asks for approval of 3/29/2017 regular meeting minutes. Ms. McCormack moves, Mr. Brown seconds, approved.

Financial Overview & Fee Waivers

Executive Director Tasha Kennard reports. Effective July 1, 2016 the NFM operating budget is \$1,952,700 which includes total revenue of \$952,700 and an operating subsidy of \$1 million. The operating subsidy will utilize funds from the State lease agreement that was completed last year.

As of March 31, 2017 the Market earned \$736,933 in revenue collections. Revenue collections are ahead approximately \$74,000. The Market expenses total \$1,293,963 per the attached BAR. Expenses are under budget by approximately \$139,000 at this time and are not projected to exceed the operating budget. Should the Market continue to operate ahead of the budgeted revenue and below budgeted expenses, the operating subsidy utilizing the funds from the state lease amendment will be decreased and the remaining balance will remain in the fund balance to subsidize the FY18 operating budget.

The FY18 Budget Hearing was held on March 14 at 2:15 before the Mayor, the Finance Director and the COO. Our budget for FY18 continues to demonstrate steady year over year revenue growth of \$285,000 and reallocation of \$59,000 to expand services and programs, community engagement and provide incremental pay increases to staff that are not covered in the General Pay plan and provide youth internship opportunities. In addition, the budget includes a \$59,000 improvement request for one new full time, non-civil service position that will become a program coordinator that will enable the Market to expand neighborhood market services to at risk communities. The budget also includes a \$750,000 request to subsidize the Market's operational needs in FY18. Again, if there is remaining balance from FY17 that will go towards the \$750,000. This represents a subsidy decrease of \$250,000 year over year and we anticipate that the implementation of the proposed rental rate plan we will be discussing today and completion of all proposed facility improvements will continue to lessen ongoing subsidy requests over the next few years.

The FY18 Capital Budget request was presented of \$3.6 million and includes major renovation projects, replacement of HVAC system and the expansion of Market services in the community.

The Market's Metro Council Budget Hearing is scheduled for Wednesday, May 24th at 4:15 pm in the Metro Council chambers. It is the same day as the May Board meeting.

There are no additional fee waivers to report at this time.

The analysis snapshot is attached and is based on forecast and actuals and includes the variance to forecast. She asks for questions and there are none.

Market House Rate Plan Discussion and Approval

ED Kennard points out the eight-page Rate Model Recommendation report in the Board packet. The initial report has been viewed in previous Board meeting, and this report includes some edits, revised language and Staff Recommendation (page 7).

Staff has met over the past several months with Market House merchants, met as a Board and staff, have presented to Codes, Fair and Farmers' Market committee, alerted the Mayor's office and administration and taken feedback from all parties to put together a recommendation for the new rate plan. ED Kennard reminds that current expenses to operate the Market House range from \$1.1 to \$1.2 million and the current rate model results in approximately \$500K annual revenue and utility expenses have increased 10-12% annually. That has not been passed on to lease tenants. Over the past four years, NFM management has reduced expenses and increased MH occupancy in an effort to cover operational expenses and reliance on Metro to subsidize the operating budget.

There are nine leases that expire in 2017 & 2018. Those were established prior to October 2013 and their base rate is \$9.63/sq.ft. There are nine leases expiring in 2017-2019. Those leases were established after October 2013 and their base rate is \$11.79/sq.ft. The average base rate for the MH is \$10.63/sq.ft.

The Board requested NFM management do research on rates in area. Colliers International Average Retail is \$21/sq.ft. CBRE Average Retail is \$17/sq.ft. The Arcade is \$22-\$24/sq.ft. average retail on the first floor and \$15/sq.ft. for retail and gallery on the second floor.

Nashville Farmers' Market is currently \$6-\$11/sq.ft. below average market value.

NFM management presented three options to the Board, A, B & C, as well as to the Merchant community and gathered lots of feedback. The Merchants had two Merchant meetings on their own, selected liaisons to report to the Board and staff. All of that has been taken under consideration. Page 7 has the staff recommendation which is in alignment with the merchant recommendations. It is a staggered roll-out over a three-year period that increases the base rate to \$13/sq.ft in Year 1 with a \$2/sq.ft. annual increase in years 2 and 3.

After year 3, the rate may be adjusted by the Consumer Price Index up to a maximum of 5% annually if applicable. If they have a lease beyond three years, that would be applicable.

The NFM Market House leases will transition to the new rate upon lease renewal or establishment of a new lease effective June 1, 2017.

The capital improvement plan including the Market House loading and waste dock renovations, patio improvements, lighting improvements, wayfinding signage and HVAC improvements will be completed in phases over the three-year period based on project priority, scope and availability of funds.

Based on current occupancy, NFM management predicts that this option will result in \$1,000,000 of total Market House revenue earnings from MH tenants by Year 3 (FY20).

That is as is, if no more tenants are added. If the Market House is renovated, there will be options to add additional tenants to the Market House.

Other recommended term changes that were modified to reflect feedback from the merchant community but still largely intact from the original proposal, include:

Required to implement an operational plan to achieve and maintain a standard of excellence while operating at the NFM including:

- Maintain a 95 health department score
- Eliminate Styrofoam and utilize compostable and/or recyclable materials
- Reduce food and material waste
- Demonstrate local and regional sourcing
- Implement a marketing plan to support operations
- Post hours of operation
- Adhere to all Market policies, rules and processes

Ms. McCormack asks how that will be overseen. ED Kennard replies that when leases are renewed or new leases signed there are addendums that demonstrate their sourcing by menu, local and regional,

and they attach a material and food waste implementation plan, and a marketing plan. This is new and will help the Market. If new merchants are approved for a lease and are not in alignment with the Market House policies, they will be in default of their agreement. The way Rules, Policies and Procedures are set up, the NFM can use one default to terminate or 3 defaults to terminate. In the past, it has primarily been a 3-strikes policy. Conversation is always held before and that has not had to be used on very many occasions. It is audited.

Effective February 2018, all tenants will be required to remain open a minimum of six days per week during Market peak hours of operation.

- 10 am-6 pm Sun-Thurs.
- 10 am-8 pm Fri-Sat.

The original requirement for Merchants laid out the days of the week to be open, but after discussion with merchants, merchants will be able to negotiate during lease renewal to determine if they will close one day a week, what that day will be, and it will be in their lease.

Some tenants are interested in moving forward with longer operating hours before February 2018, but this will be a requirement for all tenants starting February 2018.

All tenants required to close at 4 pm during third party rental special events

- NFM will continue to provide a minimum of two week advance notice in the weekly 411. That is done electronically and in printed form.
- Effective January 1, 2018, NFM will no longer close for third party special events on Friday and Saturday evenings.

The Fri-Sat no special event policy does pose a revenue issue because several events are hosted on those evenings including wedding receptions. This will likely eliminate those events.

The staff presents the recommended Option B and new term changes to the Board and invites discussion and approval of Option B. If approved, NFM management would like that to be effective June 1, 2017.

Ms. McCormack makes a motion that a vote be taken on accepting the Staff recommendation of Option B. Chair Cardenas seconds, and motion approved. Discussion is invited.

Ms. McCormack commends management for the remarkable job on improving the process from the previous rate model discussions and implementation. This is easy to comprehend, there have been merchant meetings and feedback, it has been done well with lots of consideration for the community and revenue purposes. She is inclined to go with staff recommendation and support Option B.

Chair Cardenas echoes Ms. McCormack's overview. He asks if the term changes have had merchant input. ED Kennard says the current changes reflect merchant discussion, feedback and input. The primary requests were rewording the health department score requirement which previously had a

termination clause, since eliminated. Language was added to require an operational plan to achieve goals. Days and hours of operation have been adjusted based on merchant feedback and included language about how merchants will be notified of closures due to third party events. That was already being communicated, but the language is now in writing.

Chair Cardenas commends all the work done by staff and merchant community. He asks if the staff expects any negative fall-out in the community due to lease changes. ED Kennard says no. She notes there are a few merchants who are examining how they might adjust their current footprint as the facility is renovated in anticipation of State Museum opening, but that is not due to the rate plan.

Chair Cardenas believes the board is ready to vote. Vice-Chair Norman also commends management, staff and Market House merchants for the work on the plan and that the Market is headed in a positive direction.

Ms. McCormack says it is clear the current rate model is not working, and commends collaborative work and the transparency. Mr. Brown supports the process that has led to the recommendations.

ED Kennard asks that the motion to vote. Chair Cardenas moves that the Board approve Option B and other term changes. Ms. McCormack seconds, Board approves. Option B will go into effect June 1.

Market House Applicant Presentation

Andy Boyles of Blooming Art presents his concept plan for a flower shop in the 250 sq.ft. space. He was approved to present at last board meeting but had a conflict and notified ED Kennard of conflict in advance of meeting, and he was approved to present at this Board meeting. ED Kennard and Board have questions about hours, sourcing and price points, which Mr. Boyles responds to.

Market House Tenant Lease Approval Part 1—Trailer Perk

ED Kennard directs Board's attention to the sheet in their packet with management Merchant Lease Recommendations which include farms and artisans for temporary single day leases in the Farm Sheds (15); farms and artisans for temporary multi-day leases in the Farm Sheds (21); and staff recommendation for leasing the 180 square feet space beside Bowl & Roll for the new base rate. She requests the Board skip the first two lists and go to #3 to consider the recommendation for The Trailer Perk be approved for a 3-year lease for the 180 square foot space.

She reminds Board that last Board meeting numerous applicants made presentations the three available spaces in the Market House. At this time the staff recommends the Trailer Perk for the 180 square foot space and notes owner Amy Croger is in attendance. She is prepared to operate as a Food Artisan for the season outside as she waits on the trailer kiosk for the Market House space to be produced, delivered and installed. In November she would move inside. The trailer kiosk has not yet been ordered as she is waiting on Board approval. It is a custom build. She would be required to plumb into the facility and make necessary electrical improvements, Those are her costs. ED Kennard requests discussion and approval.

Chair Cardenas asks if there is a possibility the kiosk be ordered but not completed by November. Ms. Croger responds that there is always that possibility when dealing with other vendors. Her last discussion with the manufacturer predicted a 4-month fabrication which would be ahead of November but there is always the chance it could be December. This would be her 4th Trailer Perk build and she knows what to expect.

Ms. McCormack says she did not realize it would be that long. ED Kennard reminds that the outdoor trailer is there 3 days a week. The kiosk is an actual trailer without an engine block. She could do the plumbing and electrical while waiting on the fabrication. Ms. Croger adds that the middle of summer is not the best time to roll out a coffee business. That fall is the best time with the special seasonal and holiday coffees.

Vice-chair Norman moves that the Board approve the Trailer Perk in the 180 square feet location. No second. The motion is tabled.

Metro Legal Opinion on Beer and Alcohol permits at the NFM

NFM management requested that Metro Legal prepare an opinion regarding TBAC and Metro Beer Board permit requirements and leasing options at the NFM. ED Kennard specifies an overview of the Market's ability to have multiple TBAC or Beer Board permitted operating establishments inside the Market House. Presently there is only one, The Picnic Tap. But multiple concepts were presented that would request either a wine or a beer and TBAC permit. Before contemplating any of those concepts a request was made to Metro Legal for opinions on that matter.

Susan Jones says that NFM staff had some questions for them pertinent to new lease discussions and stated the questions and responses that she and Macy Forrest Amos researched and compiled:

1. Can the Nashville Farmers' Market ("the Market") have multiple tenants with Beer/ Tennessee Alcoholic Beverage Commission ("TBAC") permits on the premises if the beer/alcoholic beverages are consumed within the tenants leased space?
 - SJ: That is what the NFM has now. The Market can have multiple tenants with on-premises beer permits if the beer is possessed and consumed within each tenant's leased space. Metro is limited in that they don't represent the TBAC, the State of Tennessee regulates licenses for alcoholic beverages, and Metro Legal cannot opine on behalf of the State. That would have to be an attorney from the State to opine on the TBAC role and regulations as it pertains to the Market. As far as beer, regulated by Metro, is concerned, the NFM can have a tenant with beer in their leased space, as the Picnic Tap currently does.

2. Can the Market allow multiple tenants with Beer/TBAC permits to serve beer/alcoholic beverages and allow the consumer to travel with the open container throughout the property? Rather than being confined to the permit holders space, can customers go through the common area with beer or alcoholic beverages?
 - SJ: No. Tenn. Code Ann. §57-5-103 (a)(3)(B) states that "[a beer] permit shall be valid only for a *single location*" (emphasis added). Every beer permit is permitted for a specific location. Each

beer permit must identify all the decks, patios, spaces covered under that permit. To go a step further, the way the law is written at the State and Local level it is only one permit per space. You can't have overlapping permits covering the same space; the Beer Permit Board and Metro Legal have interpreted this language to mean that multiple permits are not permitted to cover the same location. For example, the dining area in the Market cannot have multiple beer permits assigned to it. We advise against that.

3. Can the Market have multiple tenants with Beer/TABC permits on the premises if the beer/alcoholic beverages are consumed within the tenants leased space and allow one tenant or a contracted service to serve beer/alcoholic beverages in a designated space that may be consumed throughout the premises?
 - Yes. You can have multiple tenants with permits that are in the same location, as long as they are in their defined, confined space where their beer will be sold. That is allowable as long as the beer purchased through one confined space permit is not possessed or consumed in the leased space of another vendor or in the common area. You can select one particular tenant who would amend their lease to cover the common area and cater to that common area. But only one tenant can do that. We cannot opine on behalf of the State for TABC permits.

Ms. McCormack points out the liability of permit holders for the actions of consumers who have purchased and consumed alcohol or beer at their location, even after they leave that location. She reminds that it is a huge liability for the permit holder and they need to be cognizant of that and understand the rules. It is also very different from state to state. She says it is a slippery slope and merchants wanting to get permits need to be aware of everything and every law. Ms. Jones agrees, and brings up the example of the consequences of selling beer to a minor.

4. What is the required seating for a Beer permit? TABC permit?
 - Metro legal cannot opine on State law. According to Metropolitan Code of Laws 7.08.100, on-sale beer permits shall not be issued unless the eating establishment has a seating capacity for at least sixteen persons. That is the minimum seating requirement.
5. Can the required seating include areas adjacent to the premises?
 - Yes, assuming the area is identified on that specific beer permit and is within the leased space of the particular vendor and it's clear who has control over that area. If the area is not within the leased premises of the vendor, the lease would have to be amended giving that vendor control of the space for the purpose of possessing beer, however, the law has been consistently interpreted to allow only one valid permit per location.

Ms. McCormack adds that when it comes to a patio, there has to be access to the patio from the permitted establishment, with a clear entrance and exit, and the patio must be enclosed.

6. Can the required seating include common spaces?

- Yes, but this option would only apply if the Board chooses to allow one vendor to obtain a permit that is valid throughout the common areas of the Market. Multiple vendors cannot claim the common areas in the Market as seating for the purpose of obtaining a permit.

Chair Cardena asks ED Kennard to clarify that there is one MH tenant who currently can do that. ED Kennard replies that currently the Picnic Tap has lease approval within their square footage to operate with a Metro beer permit.

The NFM also works with D&D Services, a catering and concession service that works with multiple Metro agencies. The NFM works with them for alcoholic beverage and beer sales. At the Market's request, they come on premises to sell and serve at special events, festivals or regular business days. The contract with them is a revenue sharing contract.

Ms. Jones clarifies that that is a contract with the goods and services department, provided by a vendor that is not a leased space vendor.

ED Kennard clarifies they are a licensed beverage catering service and they have to notify the Metro Beer Board and the TABC within their notifying periods which may be 48 hours, the minimum, that they will be servicing our facility through their permits.

The Picnic Tap has also received a catering permit recently and they are developing their operational plans to serve at special events. His permit is TABC and Metro Beer board.

Ms. Jones reminds that the existing D&D contract would have to be amended for the Market to use Picnic Tap for a Market event as the Market is under exclusive contract for Market events.

Ms. Kennard says that beer and alcohol permitting and usage is an issue the NFM management and Board has looked at several times over the years. With new tenants, current tenants who want to increase their space and extended operating hours in 2018, it is an issue that is coming up more frequently. Management needs to understand what the options are as leases come up.

Market House Tenant Lease Approval Part 2

The NFM staff has spent considerable time and discussion regarding the applications for the 250 square feet and 300 square feet of adjoining seating. ED Kennard asks that the Board discuss the options for the concepts that were presented at the last meeting, as well as the 180 square feet based on the failure of the motion to approve Trailer Perk for that space.

Those the staff would like the Board to discuss include: The Trailer Perk (artisan coffee), Blooming Art (flower shop), Bunny Chow (African street food), Caracasville (Venezuelan), Legumes (Ethiopian) and Natchez Hill Winery (tasting room and grab & go).

Bunny Chow and Natchez Hill are the two concepts looking at obtaining permits from TABC and possibly beer, and utilizing the adjacent seating in order to qualify for those permits.

Ms. McCormack makes a motion to open the floor for discussion, Ms. Norman seconds, passes.

Ms. McCormack says as far as Trailer Perk is concerned she didn't catch in presentation that it would be 4-5 months before she is prepared to operate inside, and it caught her off guard and would like to think about it more. Maybe that space would be good for wine or flowers. Wine and flowers are her preferred tenants, they have been on the wish list for some time. They would add something different to the Market. She encourages Blooming Art to come up with something smaller in the \$10-\$20 range, a grab and go flower thing. The winery would be a nice fit, low overhead and low budget for the NFM to take on. Legumes is delicious, Caracasville has great reputation, but the space doesn't suit what they do. Same for Bunny Chow.

Mr. Brown likes the flower option as well as the winery.

Vice Chair Norman is leaning to the winery, it brings something new to the Market House and fills a void. She also likes the Trailer Perk and understands their inclination to open in the fall with seasonal coffees. While the Market has a coffee shop, she does not think Trailer Perk would take away from Butter Cake Babe.

Mr. Brown asks if they winery makes their own wine and if that is what they sell/taste. ED Kennard says yes, they have a winery and they have one satellite tasting room at Fontanel. They would taste and sell by the glass, sell by the bottle, have cheese by the pound, fresh bread, charcuterie and grab-and-go sandwiches. PickTN related products, such as jams and jellies, and other products that are under the PickTn umbrella. But only Natchez Hills wine.

Chair Cardenas says that in looking at the three spaces, how should that discussion proceed? Natchez Hills has been mentioned by the four present Board members.

Ms. McCormack says there are all great concepts, but how do they plug in? Which space is best for which person. Will there be additional space in 6 months? What is happening with Jamaicaway? Might there be window space? Can the Trailer Perk kiosk go somewhere besides the 180 square foot space?

ED Kennard says it is complicated by the great concepts and high demand. She shares staff feedback in looking at vision of where the Market is going. The Board has requested diversity throughout the Market. Wanted to see the Market transition to makers, bakers, growers, etc. in the Sheds but also in the Market House. In this particular situation, the staff loves every concept but there is limited space so the questions are does the concept fit with the vision and can the facility as is handle that concept? As much as the staff would like to see the international food concepts be a permanent part of the Market House, their needs are not adaptable to any of those spaces.

NFM staff recommends that Bunny Chow, Legume and Caracasville be taken off the current list and put them on the wait list for the next available hooded space and not be required to go through the application process again. Caracasville is ready, their concept is proven, they have a tremendous following not only at the Market but through Foda. They are capitalized and ready to go and staff recommends they are first on the list. Their goal is a brick and mortar home and the NFM would like it to be at the Market.

Legumes has a great product though does not have as much business experience and NFM staff would like her to remain in the GLK incubator and gain additional experience.

The NFM is extremely flattered that Bunny Chow and Maneet Chauhan want to be at the Market. Part of the Market mission is to incubate small business and the mission is in more alignment with Caracasville and Legumes. There are more opportunities to work with Morph Hospitality in the future.

Flowers, coffee and wine remain on the table. All are great concepts and would add much to the Market. ED Kennard discussed with Blooming Art and Trailer Perk other locations aside from what they applied for. Amy Croger/Trailer Perk is flexible, she wants to be in the Market House as long as she can be plumbed in and get the electrical she needs. Blooming Art is less flexible and prefers that space. He has been shown the atriums and the 180 sq.ft. space. Natchez Hill said they would be on the roof if that is all that is available. They want to be in the Market. They have adapted their plans for the space, they are capitalized and ready to go, and their product mix adds to the diversity of what the Market needs, in terms of wine, cheese, bread and other PickTN products.

ED Kennard's recommendation is to find a place for all three.

Ms. Jones says ED Kennard has talked about the substance and she wants to talk about the procedure and it is a big decision. She recommends they consider all three spaces by separate motions: the 180, the 250 and the 300. The easiest thing to do would be to take in 3 separate motions and see where they land after each one. She also recommends making a motion for recommending someone for the first available hooded space, but not going beyond that to a waiting list.

Chair Cardenas asks what the staff recommendation for the 180 space is. ED Kennard says the staff recommendation is for the Trailer Perk, and confirms that Amy Croger was clear about the time line. She can't order the trailer until she gets approval.

There is no written recommendation for the 250 or 300 because Blooming Art had not made their presentation. ED Kennard has reviewed the application but had not seen the visuals. Ms. McCormack says she thought Trailer Perk would put her current trailer in the space, but ED Kennard says it is too big. Minutes reflect that she said she would be outside while the kiosk was being manufactured and work done on the space.

The staff recommendation would be for Natchez Hills to take the 250 and 300 square foot spaces, and that they look for another space for Blooming Art. The staff could go back to the table with Blooming Art

to possibly take the 180 and find another space for Trailer Perk. Ms. Jones does not recommend approving Trailer Perk for an alternative kiosk space when that option has not been publicized.

ED Kennard says applicants could apply for one or multiple of the options: 180, 250, 300 or Other. Ms. Jones asks if the 250 and 300 spaces are contiguous or separate because she does not know how beer board would consider that. Natchez Hills says they would not be selling beer.

Ms. McCormack says she thinks approving Natchez Hills for the 250 and 350 square foot spaces makes the most sense. They need that much space and they need confined, defined seating. That is the best place for them. She appreciates the enthusiasm for being at the Market and the homework they have done. She asks Natchez Hills what their time frame is.

Jim Odom replies that as soon as they get a lease, they can go to TABC for permitting and will start a buildout. Using internal resources can be finished in 30 days.

Chair Cardenas asks if there are any other concerns. None stated, Ms. McCormack moves that Natchez Hills be approved for the 250 and 300 square foot spaces, Vice Chair Norman seconds, motion is approved and carried. Chair Cardenas welcomes them to the Nashville Farmers' Market.

Ms. McCormack moves that the next hooded space be approved for Caracasville, Vice-Chair Norman seconds, motion is approved and carried.

Chair Cardenas asks for discussion on the 180 square foot space and other space possibilities.

ED Kennard says that as building is renovated, the interior space will change. When meetings with tenants began in January 2016 about the upcoming Museum construction, they were told there would likely be changes on the north side of the property, particularly with the loading dock on the north side and waste dock on the south side. Moving forward, there were multiple discussions with Jamaicaway about possibly eliminating the majority of their seating area, re-sizing their concept while maintaining some seating. That could open about 400 square feet. That would be an ideal location for a hooded concept. The Market could mandate that they reduce their square footage or they could choose to. ED Kennard expects that decision within the next 30-45 days.

There will also be some changes to International Market with the renovations of the loading dock and additional space may be opened up. There could be future placement with some of the concepts under discussion now.

Chair Cardenas asks if the discussion is between flowers and coffee. Mr. Brown states he thinks flowers are important to the Market mix, but the location is important to its success. Vice-Chair Norman asks if atriums are a possibility. Mr. Brown believes a location within the main dining area is important for flowers. ED Kennard says plumbing and electrical are an issue currently but as renovations proceed there will be more space, not necessarily in the center. ED Kennard doesn't know if Blooming Art is interested in space other than the SLOCO space. Ms. McCormack makes a motion to defer the decision on the 180 square foot space. Mr. Brown seconds. Motion passes.

ED Kennard refers Board to the list of farms and artisans recommended for single day leases in the Farm Sheds and farms and artisans recommended for temporary multi-day leases in the Farm Sheds. 36 in total—15 single day and 21 multi-day. There will be a secondary slate submitted with additional requests at the May meeting. Ms. McCormack asks if all applicants are in good standing. ED Kennard says yes. Vice-Chair Norman moves to approve all recommended farms and artisans, Ms. McCormack seconds. Motion approved.

Variance Requests

ED Kennard reports that Johnny Jr. (Peanut) Howell is working to return to the NFM this season. They are in a difficult place following Mr. Howell's death, the land is in probate. Prior to changes at the Market they were about 30% their product and 70% re-sale. ED Kennard reminds the Board that over a year ago, Johnny Howell requested and received a variance to retail citrus, nuts and candy products at NFM. They are requesting a variance that requires them to provide an application from the farms as they are unable to get the paperwork for the citrus products and are asking for the variance to sell oranges, grapefruits, lemons and limes. This is outside the NFM policy and ED Kennard is asking for Board discussion.

Secondly, multiple plant merchants have expressed interest in retailing at NFM in the spring and fall--- bedding plants, flowers, plant starts, shrubs, trees (native and tropical)—but require variance approval as they do not meet the farmer/produce or collective standards. Their sourcing methods are similar to those of Gardens of Babylon. They have challenged the policy that allows GOB to sell what they sell and not other retailers.

Ms. Jones reminds that the Board has not adopted any variance standards, so they can consider creating a variance standard with certain objective criteria that can be used when considering variance requests. That way everyone will be aware of the standards of requesting and receiving a variance. Chair Cardenas asks that Ms. Jones do that and requests ED Kennard work with legal to do that.

Grant Approvals

ED Kennard reports there is an opportunity to apply for a TDEC grant to help with waste reduction and recycling. In order to apply there must be Board approval. She believes there is a real opportunity to set a goal to be a zero waste facility. It is expensive and grants will be necessary for that. Chair Cardenas asks if there are any negatives, Mr. Kizer says no. Ms. McCormack makes a motion to approve applying for the grant, Vice-Chair Norman seconds, approved.

Executive Director Report

- Merchant parking lot construction is underway and should be completed the first week of May.
- Re-lining and re-directing of 6th and 7th is underway. Target date for completion is May 1.
- The Tennessean did a positive front-page story on the new parking and a follow-up on WTVF-5.
- Merchant recruitment has been very successful and there are more applicants than spaces.

- May 6 is an important date for the Market. It is the Strawberry Jubilee and kick-off of peak season. Musicians, the Mayor, Strawberry Cake Contest, Strawberry Sampling Table run by the Junior League, 9 strawberry growers.
- Peak season events will be streamlined. Night Market will be year-round the 3rd Friday of every month, as it moves outside the hours will be 5-9 pm. Two Saturday festivals will be integrated to Night Market, the Peach Jam in June and the Watermelon throw-down in August. Community Farm Day will be July 1, Pepper Fest September 9 and Turnip Green Festival November 4th.
- FY18 Metro Council Budget Hearing is May 24 at 4:15 in Council Chambers
- Strategic Plan—Kia will be creating and distributing a Merchant Survey. A Board survey will be done to choose a date to review the Strategic Plan Draft. That dates will be in mid-June.

Other Business

No other business and Chair Cardenas adjourns at 11:38

Next Meeting May 24, 2017, 9:30 am.