

NFM Regular Board Meeting 6/27/2018

The regularly scheduled meeting of the Nashville Farmers' Market Board was called to order by Board Vice-Chair Priscilla Norman at 9:32 am on June 27, 2018.

In attendance were Board members Margot McCormack, Priscilla Norman and Brian Copeland. A quorum was present. NFM Staff members present were Tasha Kennard, Mary Self, Allison Koon and Kay West.

Also in attendance were Susan Jones from Metro Legal and vendors Rob Williams, Tim McKinney, Liz Madaris, Lily Webb, Beth Piper and Carol Hagen.

Vice-Chair Norman 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. Vice-Chair Norman 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.

Carol Hagan of Tennessee Artisan Honey requests and is granted the floor. She states she has been with the NFM for three years, four days a week, and also the Vanderbilt Market. They will be at the Casa Azafran market when it begins but have already completed a Spanish translation of their front page. She is requesting instructions on making a change in her contract, acknowledging it may not happen until next year. She states she has a disabled employee and must be aware and in compliance with the ADA. She would like to have at her stall four days a week and be able to keep there: a fan, a cooler and a chair of consequence, sturdy and heavy. Previously she had kept those items under a tarp and secured them there. She has been told that is no longer an option. She does need to provide these things, especially during the summer months. After 8 hours in the heat, it is a burden to pack those items up and put them in the back of the van. She is not sure how to accomplish this but whatever the method to accomplish this she will do. She is a good tenant and paid in advance and believes her request deserves serious consideration.

ED Kennard replies that she will discuss with Ms. Hagan after the meeting but asks that Ms. Hagen make a written request including information about her disabled employee and need to accommodate that and send to Market Manager Mary Self. She will receive a response this week.

Brian Copeland asks what next steps are and if Board action is needed. ED Kennard says no.

Lily Webb of Crochet Products by Lily requests and is granted the floor. She has been with the Market for 15 years and is thankful that those who are in the sheds most of the year are able to leave approved set-ups and receive a discount. She would like to put in a request that vendors at the NFM for 20 years or more receive an appreciation discount. Ms. McCormack asks for clarification on what type of discount. She is requesting a discount on rental rates. Ms. Webb requests a Christmas in July sale. And finally, she would like a return of the weekly drawing for vendors that would grant a rent waiver of some amount.

ED Kennard would like to know if the Christmas in July request is for a July rent package or a merchant Christmas in July event that the NFM would promote. Ms. Webb says she is requesting a promotion.

Rob Williams of Batch Nashville requests and is granted the floor. He wants to speak about the recurring problem of the extreme temperatures in the Market House and is speaking on behalf of not only staff but customers who cannot endure the heat and leave. Batch has been in Market since 2014. April 15 2017 they started tracking temperatures because it was over 80'. That day it was 90' in Market House, April 16 it was 85'. The past week (June 2018) temperature on consecutive days has been 93, 91, 88, 90, 92, 94, and yesterday it was 95' in MH. It is extremely disappointing and a recurring problem. ED Kennard has been helpful in talking about the problems and explaining what is happening but there is no improvement. The store is suffering in revenue, employees are suffering by working in those conditions and customers are not staying. MH tenants have held up their end of the new leases by staying open later and it has worked well, but now that momentum is affected because signs are posted about limited hours due to the heat in the MH. It is confusing to the customer. Finally, there is an email thread between him and ED Kennard about extreme temperatures and what action would be taken, that \$40,000 of repairs was scheduled. At the May Board meeting, Charles Kizer spoke to some merchants after the meeting and said repairs were imminent. Repairs finally started last week and nothing has improved yet. He is concerned that next year, next summer, the same problem will recur. It is why they tried to get language in their lease about not increasing rates unless real improvement was made in the conditioned space. 95' is not conditioned. Products are melting and it is absurd to have to explain to the conditions to customers. He wants to go on the record about the conditions so if it does recur next year, there is a record of his report from 2018.

Vice-chair Norman invites ED Kennard to respond. ED Kennard says all merchants have received written communication on the status of the MH HVAC and repairs, which has also gone to the Board. It has been a very difficult week. Two of the four units have compressor issues. As soon as Mr. Kizer found out about the issues during routine maintenance he ordered the parts and it took 3-4 weeks for those to come in. It took 10 days for Lee Company to schedule a crew for a multi-day full repair on all 4 units Once they got to the MH they found more issues. The repairs were originally planned to last 2-3 days and it has taken five days. It was finished yesterday at 12:30 Due to the conditions on Friday, Saturday, Sunday and Monday—heat advisories outside---she took the steps to talk to merchants to let them know that if they wanted or needed to limit service hours while repairs were taking place, and through Thursday—tomorrow—which would be when the repair would be felt, they would have permission to close or limit

hours. Signage about the repairs was posted on MH doors, on social media and distributed to MH merchants.

Lee Company has told NFM staff that by Thursday they will feel the cooling from the repairs, and that it takes that long to get the heat out and the cool air circulated. They have given NFM management practices to support that, the system is being checked every three hours, restaurants are being checked to be sure they are using their hood systems properly. NFM management is doing everything possible to address the issue, but ultimately, the only thing that will prevent recurring issues is to replace the entire system. It is undersized for the Market and has been an issue since the Market opened in 1995. The current equipment is not only undersized, it is outdated. So the NFM is spending \$40,000 here, \$50,000 there, to make repairs every quarter to keep the machine operating.

The cost to replace is \$1.2 million. It has been requested in the capital budget, the assessment that was requested last year has been completed, everything has been done within that assessment. NFM has presented the assessment and the needs to the Mayor and it was included in the budget request, it is included in his capital budget request to Metro Council. However, until Metro Council takes up the Capital Budget—and the timing is off this year due to unforeseen events, the outcome is unknown. Typically by now Metro Council has passed the Capital Budget for the upcoming fiscal year. There is no current timeline available for that. But the NFM is in the budget request. Once the funds are available, the Market can proceed. A plan has been prepared, Mr. Kizer has been working with Lee, Capitol Solutions and Dowdle to coordinate this work in the fall. There is a period when the time is optimal to replace the AC, it is late October through early November. Recommendations have been made to schedule it between the cooling and heating seasons. A time frame will be created to minimize impact on MH merchants.

Ms. McCormack notes there has been some progress. She says her two restaurants are in the 80s though they have all the necessary equipment and systems. She believes Mr. Williams understands the challenges and that NFM staff is doing all they can.

Mr. Williams agrees but says the most frustrating part is the recurring nature of it, and why fixes aren't done until the need is critical. He references the loss of parking in 2016, when the Market was reactive rather than pro-active with a solution before the parking was lost. He would like to know there is a plan and that it would be put in place so this does not happen next summer that the Market does not get to a critical phase and then scramble. 80' is not critical, 95' is absurd.

Mr. Copeland asks what ED Kennard believes are the chances the funding will be approved and that the new system will be installed in October/November, and what is Plan B if the funding for new AC does not happen.

ED Kennard says she cannot predict what Metro Council will do with the Capital Budget because this is an unprecedented year. She says 50-50. Plan B is already underway. NFM management has spoken to Metro Council members about introducing emergency legislation and that is being handled very delicately, with one-on-one conversations. They are visiting the Market to assess the situation. This is not the first time the funding has been requested for this. This has been requested since ED Kennard

began at the Market (2014), and before that it was requested by General Services when they were running the Market. There have been three assessments. There has been a very costly maintenance plan, funded out of operating budget to do everything possible in a proactive way. Preventative maintenance is done on the system but nothing can prevent the system from blowing a compressor. She notes that Charles Kizer has been very aggressive in keeping the system operating and she refutes the description of what the Market does as a 'scramble.'

Mr. Williams asks who can be contacted to urge this funding request be granted and that the system be replaced as needed, to make voices heard. She says to contact all Metro Council members as well as the Mayor's office. She says it is included in the spending plan so people should urge council to pass the spending plan and if that does not happen, to pass emergency funding

Mr. Copeland thinks it is important for Batch to tell their story, that they have a choice of where to be and where to spend their time, and that they are representing Nashville in a tourist attraction and carry all Nashville products. Metro Council needs to hear the narrative. Vice-Chair Norman suggests he add the tracked temperatures.

Ms. Jones adds that the Codes, Fair and Market Committee is the committee that everything related to the Market goes through and they should be contacted first.

Vice-Chair Norman calls for approval of May 23, 2018 minutes. Motion made, seconded and approved.

Vice-Chair Norman invites ED Kennard to introduce the new staff member. ED Kennard introduces Office Manager Allison Koon, who started after the last Board meeting. She is taking over responsibilities that were Carolyn Sanders, and will also be the new staff secretary for the Board.

Allison Koon says she was at UTC in Chattanooga and is still working towards her degree on-line so she could be closer to home. She is studying psychology and English, a double major. Most recently she was at UT-Extension and was office administrator there which helped her learn about office management. She also worked as an appliance salesperson so learned about taking payments and customer service.

Mary Self introduces intern Disha Patel from Opportunity Now and sponsored by Les Dames, and has been working on several different projects, particularly on-line mapping. She has been very helpful with Night Market and Community Farm Day.

Ms. Patel says she is a rising senior at White's Creek High School, and that she wants to attend Belmont and study economics and political science and eventually be a lawyer.

Financial Overview & Fee Waivers

Executive Director Tasha Kennard reports on the NFM FY18 Financial Overview & Analysis, as of May 31, 2018.

Effective July 1, 2017, the Nashville Farmers' Market's operating budget is **\$1,952,700** which includes total revenue of **\$1,238,000**. Based on a mid-year review, looking at actuals and projections for the fiscal year, the Market is in a position to use funds received from the State of Tennessee for lease amendment

to balance the FY18 budget. The NFM will not be requesting a subsidy from Metro Council or the Mayor's office.

As of May 31, 2018 the Market earned \$1,202,230 in revenue collections. Year-to-date revenue collections are ahead approximately \$112,000 at this time and are projected to total \$1,302,212, exceeding revenue goal for the year. June is typically the strongest month.

The Market's expenses for the same time period total \$1,568,075 per the attached BAR. That number will increase quite a bit because repairs to AC expenses will hit in June. Those are unplanned expenses and will hit somewhere between \$50,000 and \$58,000. Year-to-date operating expenses are below budget by approximately \$150,000 at this time and are projected to total \$1,806,000.

There are no fee waivers to report at this time.

Everything has been submitted to Metro Finance and management has met with the Finance representative assigned to the NFM. Finance seems to be pleased with progress.

Metro Council passed a substitute budget and the NFM budget was passed in committee and recommended by the Mayor. The FY19 Operating Budget will be \$1,952, 700.

Ms. Hagen asks that she be on record as complimenting NFM management on changes to how vendors pay and how helpful it is to schedule payments in advance.

ED Kennard clarifies that the online application allows merchants to pre-schedule all dates in advance and shows them the impact of their rent obligations. They can choose if they want to pay weekly or monthly due the 5th of the month, or an annual basis. If they commit to being at the Market on an annual basis, they get a 10% discount on their total fees. It has helped merchants and helped the Market Manager know who will be there. It is a shift and is challenging as well. Overall it is working and seems positive. She believes they are making great progress, particularly being a 7-day-week market.

Website Redesign

ED Kennard reports that the website redesign has been a goal for some time but was just recently funded. The website changeover will happen in a matter of days. The new website is Square Space backend. ED Kennard has been trained on how to update the new website and she feels confident it can stay fresh. There will be many features not currently available, one of which is a calendar which is very important given the number of events, promotions, workshops and other things at the Market.

There will be features for the Board as well that the public can access. When it goes live the merchant community and Board will get the announcement. It will not be perfect and will be tweaked for up to 90 days with the designer. It will allow merchants to be linked to the Market and share much more information about their business. The community can go to a mapping feature and can tell day by day who is in the Farm Sheds and in the Market House. Customers will be able to contact merchants directly. It should help with the calls the Market office receives. If merchants need to edit their information they can go through Mary Self.

Executive Director's Report

- **Staff update:** ED Kennard reports that six individuals have been interviewed for the Marketing Coordinator position. Three more interviews are scheduled and there are some promising candidates. She hopes to make a selection by end of the next week (July 6). When the selection is made, the background check process will begin and an announcement will be made to the merchant community and the Board.
- **Capital Projects:** A contract has been awarded to Dowdle Construction Group for the design build. This design build project is the redesign and renovation of the current loading dock, International Market, a new corridor from that loading dock that will connect to parking area and Museum. It also includes a remodel of the current waste center and relocation of a new waste center. That will provide more refuse options to the merchant community including compost, recycling landfill and waste collection in a better contained area off to the side of the facility. The area currently waste center will be renovated and redesigned for new retail. There have been meetings with interested parties on the new retail and there is an open and ongoing application process since last December. Applications continue to be accepted and meetings held. Planning meetings have begun with Dowdle, including a pre-contract meeting. They presented a potential timeline, potential because until they are awarded the contract the timeline cannot begin. The first phase of construction would begin late October/early November and conclude everything no later than the end of April 2019. It is important that when the Market begins introducing this project to the merchant community that attendance is encouraged at Merchant Community meetings and advisory meetings. Attendance is currently very low and NFM needs merchants to come to meetings and asks that those who already attend please encourage others to attend as well. ED Kennard prefers that merchants receive accurate information from management and not spread news among themselves that is not accurate. She lauds the staff and board for working hard to make the Market the best market in the south and asks for the active participation from merchants, farmers and vendors. She is very open to suggestions on how to improve attendance at Board and Merchant Meetings. It is crucial that there be more active engagement. The state of Tennessee and the Museum have been very gracious with us in our planning on how we will be sharing the parking area between the Museum and the NFM. They are delayed, it was scheduled to be open and available in July. That is just a couple of days away and they have not yet started pouring concrete. It appears the parking will open late summer/early fall. They have approved via email for the NFM to continue using on-street parking on 6th Avenue and the satellite parking lot for merchant parking until we have access to that area. NFM is working with the State on how to amend our current parking agreement going forward. They are in the process of discerning if we will continue to have merchant parking on 6th or if that will migrate back to this property. They are trying to predict Museum visitor numbers and how many of our visitors will be excited about the new parking lot. NFM is working with them in advance to plan for that. There will be a presentation from Dowdle at the July Board meeting about the timeline of this project and there will be a presentation to the merchant community at the quarterly Merchant Meeting July 27th.
- **Merchant Recruitment and Retention:** Mary Self reports that since the May Board meeting, there have been 34 new online applications so about 1 a day. Each one of those immediately

gets an automatic reply to let applicants know it is taking 7-10 business days to work through the application though typically she reaches out sooner than that, usually because there are missing documents, which she then assists them in learning how to obtain. Currently, 98 of those applications have been approved and are booking and she is working with about 44 of the applicants to get required documents. About 34 applications have been declined either because their business does not fit into the Market model or if they have chosen to not go forward in completing their application. They then go into the declined category. Some applicants are waitlisted for various reasons and have been notified. There are 194 applications which is the best to date.

- **Neighborhood Markets:** Vanderbilt Market started June 7th. There are 12 merchants and it is going very well. The Vanderbilt community is very supportive. She is working to recruit 3-4 more merchants to supply items currently not at the Vandy market like cheese and bread. She has recruited a bread merchant who will begin mid-July. The Casa Azafran Market is postponed due to the Azafran Park not being completed until the end of August. ED Kennard notes that the Casa Azafran Market is a partnership with Conexion Americas and Metro Parks so different from Vanderbilt. It follows all Metro Parks guidelines regarding farmers markets and what can and cannot be sold. Craft vendors are not allowed and all vendors have to be within a 150 mile radius of Nashville to participate. If the Park opening is delayed again the opening of the Market will be re-assessed due to seasonality and availability of produce. Merchants are very much looking forward to this Market. ED Kennard thanks Carol Hagan for all the work she has done to prepare for this Market.
- **Upcoming Events, Workshops & GLK** Kay West reports on the Lunch & Learn workshop that was a partnership with the Tennessee State Museum and held the week before in Farm Shed 1. It was presentation on the history or Southern food by Museum curator Rob DeHart, talking about an old local plantation cookbook. Margot McCormack did a demo of a cucumber-tomato salad with produce from Smileys, Simons and Fresh & Local. It was very well attended and according to the Museum one of the best they have had. Ms. McCormack agrees that it was an excellent event and encouraging to see how enthused the Museum staff was. ED Kennard says she met with TN Health Department and they want to do. NFM is looking at different types of revenue raising events that will not require closing the Market House Friday and Saturday nights. For example, discussions are under way to hold the Plant the Seed breakfast fundraiser in the Market House in October, taking place before the Market opens. Discussions are also taking place about a Culinary Job Fair and a Junior Chef competition, events that do not affect the Market vendors. Grow Local Kitchen continues to be very busy and popular, is booked every day for lunch and getting increased interest from production renters and workshop/demo people. There is also increased interest in doing Friday night pop-ups. Succulent Vegan Taco has expressed interest in Friday nights. Ms. West notes that the Kitchen is being used so much it is taking a toll on ability to maintain and clean. Community Farm Day is June 30th. There will be many activities as always, among them, a Cobbler Contest and an indoor cooking demo in the GLK by Tandy Wilson and Rebekah Turshen. International Pepper Fest is September 8th, Turnip Greens Festival November 3rd and second annual SipTN November 10th. That is the festival schedule through November. Ms. Self reports that outside there will be live music and a patriotic craft with WhimsiKids. There will be a tomato tasting under the center tent with volunteers from FOFM. There is a Merchant Spirit Decorating Contest to get merchants more involved. At 12:45 is the annual corn shucking contest presented by Conry Farms. The prize is more corn.

The Cobbler Contest will take place inside the Market House, it is being promoted and Priscilla Norman has recruited judges and Voice of the Predators Pete Weber will be the emcee. There will be a \$100 cash prize thanks to FOFM. ED Kennard encourages Board to attend Community Farm Day and support farmers.

- **Picnic on the Patio** Tickets were not moving and after attending the Board meeting of the FOFM, the decision was made to cancel. ED Kennard believes there was a lack of marketing effort from the NFM, that the event was not adequately explained and just did not appeal to people or inspire to sell tickets. FOFM wants to do something similar in the future and discussions will be held. They will circle back to it and so will NFM but until a Marketing person is on board, the NFM is not in a position to add anything new. Ms. McCormack thinks it would be best to start with something simple, maybe burgers and hot dogs on the patio. ED Kennard says Tandy Wilson has a July 4th event at City House every year and takes donations that he directs to a non-profit and this year he wants to send those funds to FOFM.
- **Other Business** Ms. McCormack reports that Troy Smiley asked her why the NFM doesn't have its own Tomato Festival, not the same weekend as East Nashville but a specific NFM tomato festival. ED Kennard says some of what used to be done at the Market to celebrate tomatoes was directed to Community Farm Day and some of NFM efforts went to participating in the East Nashville festival. The NFM is currently assessing its participation in the Festival which has been a tomato tasting, recipe contest and cooking demos.

With no other business, Vice- Chair Norman adjourns the meeting at 10:56 am.

The next Board meeting is Wednesday, July 25th, 2018 at 9:30 am in the Nashville Farmers' Market conference room.