

Metropolitan Government of
Nashville and Davidson County

Freddie O'Connell, Mayor
Darrell Lane, Executive Director



Nashville Farmers' Market
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Nashville, TN 37208
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Nashville Farmers' Market Board Meeting Minutes November 14, 2023 – 9:30 a.m.

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 the 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 - *Individuals, requesting to address the Board, will be limited to 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.*

I. Opening Announcement - 9:37 a.m.

II. Public Comments

- a. nash TN - Bill Caywood would like to be considered to take over the vacancy in the market house that will be vacant as of Jan. 1, 2024.
- b. James Smith - J & D Smokers would like to be able to sell BBQ outside on weekends even though we have a permanent tenant inside the market house.
 - i. Board Member Alex Lorenz asked if J & D Smokers is already a vendor? Is he requesting to have a space outside on a regular basis?
 - ii. Board Member Scott Moskovitz asked what the request is from J & D Smokers. Executive Director Darrell Lane explained that he looks at the market as a whole to ensure we don't have too much competition between the same type of businesses.
 - iii. Vice-Chair Will Radford asked what the food truck policy is and routine for scheduling. Darrell explained what the current policy is and how many food trucks we have on a given weekend.
 - iv. Board member Dr. Brenda Butka asked how we can get J & D Smokers on the food truck schedule.
 1. Farmers' Market Coordinator Yolanda Manning explained the scheduling process to have as much variety as possible.

- v. Vice-Chair Will Radford requested that the staff provide a copy of the food truck schedule that shows what has been requested, assigned and what is available.
- c. Lynchburg Soap Bennett Alvera discussed the two types of customers that the market has (local vs. tourist). What plan does the market have to draw local customers in addition to the tourism customer?

III. Approval of August 2023 (Special Session) Meeting Minutes

- a. Motion to Approve - Scott Moskovitz
- b. Second - Alex Lorenz
- c. All in Favor - Aye
- d. Opposed - None

IV. Board of Commissioners Officer Elections

- a. Metropolitan Attorney Theresa Costonis explains the rules and regulations of the election.
- b. Board Chair
 - i. Scott Moskovitz nominated Will Radford to serve as Board Chair.
 - ii. Will accepted the role of Board Chair.
 - iii. Dr. Brenda Butka calls for vote of Board Chair.
 - 1. Motion to Approve - Dr. Brenda Butka
 - 2. All in Favor - Aye
 - 3. Opposed - None
- c. Vice-Chair
 - i. Dr. Brenda Butka nominated Angela Crane-Jones to serve as Vice-Chair.
 - 1. Alex Lorenz seconded the nomination.
 - ii. Scott Moskovitz nominated Alex Lorenz to serve as Vice-Chair.
 - 1. Alex Lorenz declined to accept the role of Vice-Chair.
 - iii. Will Radford called for vote of Vice-Chair.
 - 1. Motion to Approve - Will Radford
 - 2. All in Favor - Aye
 - 3. Opposed - None
- d. Board Secretary
 - i. Scott Moskovitz nominated Dr. Brenda Butka to serve as secretary while being supported by market staff.
 - 1. Dr. Brenda Butka accepted the nomination.
 - 2. Motion to Approve - Will Radford
 - 3. All in Favor - Aye
 - 4. Opposed - None

V. Market House Operating Hours

- a. Executive Director Darrell Lane made a recommendation that new required hours be from 11 a.m. - 4 p.m.
- b. Darrell discussed the business plan to grow foot traffic after 4 p.m.
- c. Darrell discussed that the management team would be meeting and working with the businesses that don't advertise themselves.

- d. Will asked what the current building hours the market house is open to the public.
 - i. Darrell stated the building is open 8 a.m. - 8 p.m.
 - ii. Will clarified that businesses can be open anytime between 8 a.m. - 8 p.m. but that required operating hours would be 11 a.m. - 4 p.m.
- e. Will asked if the leases would have to be amended to reflect the new required hours.
 - i. Darrell explained that all leases, handbooks would need to be amended to update the required hours section.
- f. Will requested that if the leases would need to be updated that market staff review the entire lease for any other updates that are needed.
- g. The lease updates will be presented in the January 2024 board meeting.
- h. Metropolitan Attorney Theresa Costonis explained that the hour of operation is under the authority of the Executive Director and that he will be exercising that authority during this time.
- i. Marketing Manager Courtney Cotton added a comment that based on a recent survey, all tenants agreed to be open from 11 a.m. - 4 p.m.

VI. Executive Directors Report

- a. Darrell Lane recommended that nash TN be awarded the market house vacancy that will be open on January 1, 2024.
 - i. Dr. Butka asks if the board can go ahead and vote today on the tenant occupying the space.
 - ii. Alex asked if the board could go ahead or if they need to evaluate multiple businesses.
 - 1. Darrell explained the board chair wanted the Executive Director to screen the applicants and then present to the board the recommendations.
 - iii. Will asked if any other current tenants ask about the available space.
 - 1. Darrell explained that one other business expressed interest in the location, but he recommends nash TN to take the location.
 - iv. Scott asked what the plan was for their current space.
 - 1. Darrell explained that nash TN would occupy an additional location in the market house. nash TN would have two different leases at the market.
 - v. Board vote on nash TN to lease the market house vacancy effective January 1, 2024.
 - 1. Motion to approve - Scott Moskovitz
 - 2. Second - Dr. Brenda Butka
 - 3. All in Favor - Aye
 - 4. Opposed - None
- b. Market House rent credits due to market house HVAC issues.
 - i. Credits were presented for the four businesses involved and were derived by the lease formula for utilities.
 - ii. Motion to Approve - Dr. Brenda Butka
 - iii. Second - Will Radford

- iv. All in Favor - Aye
- v. Opposed - None
- c. Darrell presented to the board that the market has funding for the window repairs from the existing approved tornado repair fund.
 - i. Finance Manager David Griffin explained more about the fund and that the market has approval to access the remaining balance to complete the replacement process of the market house windows that were damaged during the 2020 tornado.

VII. Market Staff Reports

- a. Finance
 - i. David Griffin presented the FY24 financial reports to the board as of October 31, 2023. The month is still open so the reporting is not final.
 - 1. David presented reporting that compared FY24 vs. FY23 and discussed the increase in repair expenses that occurred in FY24.

VIII. Days of Operation Grievance

- a. Metropolitan Attorney Theresa Costonis explained the grievance process and what will occur during this section of the agenda.
 - i. Each business will be allocated time to present their case to the board of commissioners.
 - ii. The businesses will need to be sworn in to have their testimonies on record.
 - iii. The board of commissioners will be granted time to ask each business questions about their grievance, as well as the Executive Director and Metropolitan Attorneys.
 - iv. Once all grievances have been heard and questions have been answered, the board will then decide if they want to grant approval of the grievances.
- b. Hancock Farms:
 - i. Matthew Hancock sworn in by Metropolitan Attorney Theresa Costonis.
 - ii. Matthew Hancock presented his grievance regarding being required to work on Sundays.
 - iii. Matthew Hancock entered the question-and-answer session from the board of commissioners and the Metropolitan Attorneys.
- c. Farmers' Deli and Grill:
 - i. Jolie Yi sworn in by Metropolitan Attorney Theresa Costonis.
 - ii. Jolie Yi presented her grievance regarding being required to work on Sundays.
 - iii. Jolie Yi entered the question-and-answer session from the board of commissioners and the Metropolitan Attorneys.
- d. Bowl and Roll:
 - i. Hyo Gwan Jung and Sang Lee sworn in by Metropolitan Attorney Theresa Costonis.
 - ii. Hyo Gwan Jung and Sang Lee presented their grievance regarding being required to work on Sundays.
 - iii. Hyo Gwan Jung and Sang Lee entered the question-and-answer session from the board of commissioners and the Metropolitan Attorneys.

- e. Music City Crepes:
 - i. Sherry Boshra sworn in by Metropolitan Attorney Theresa Costonis.
 - ii. Sherry Boshra presented the grievance regarding being required to work on Sundays.
 - iii. Sherry Boshra entered the question-and-answer session from the board of commissioners and the Metropolitan Attorneys.
 - iv. Executive Director Darrell Lane sworn in by Metropolitan Attorney Theresa Costonis.
 - v. Darrell Lane entered the question-and-answer session from the board of commissioners and the Metropolitan Attorneys.
- f. Succulent Vegan Tacos:
 - i. Ronald Cerdas and Adriana Ortega sworn in by Metropolitan Attorney Theresa Costonis.
 - ii. Ronald Cerdas and Adriana Ortega presented the grievance regarding being required to work on Sundays.
 - iii. Ronald Cerdas and Adriana Ortega entered the question-and-answer session from the board of commissioners and the Metropolitan Attorneys.
 - iv. Darrell Lane entered the question-and-answer session from the board of commissioners and the Metropolitan Attorneys.
- g. Board of commissioners made final statements regarding vendor grievance hearings.
- h. Board moved to close grievance hearings and move to deliberations.
- i. Vice-Chair Will Radford recommended opening the leases to amend the required hours of operation section.
 - a. Metropolitan Attorney Theresa Costonis advised to focus on the leases that have filled grievances and then at a later date, the board will be presented with a lease amendment to update the hours of operation section.
 - b. Hancock Farms:
 - i. Motion to approve Hancock vendor grievance - Scott Moskowitz
 - ii. Second - Will Radford
 - iii. All in Favor - Aye
 - iv. Opposed - None
 - c. Farmer's Deli and Grill; Bowl and Roll; Music City Crepes:
 - i. Motion to approve vendor grievances (Farmers' Deli and Grill; Bowl and Roll; Music City Crepes) - Scott Moskowitz
 - ii. Second - Dr. Brenda Butka
 - iii. All in Favor - Aye
 - iv. Opposed - None
 - d. Succulent Vegan Tacos:
 - i. Motion to approve - Scott Moskowitz
 - ii. Second - Dr. Brenda Butka
 - iii. All in Favor - Aye
 - iv. Opposed - None

IX. Final Comments

- a. Vice-Chair Will Radford commented that the will of the farmers’ market is to support small businesses and to trust in the direction of the Executive Director in the contracts and documents that are in place and to ensure that all signage is clear of the expectations of the amended agreements.

X. Adjournment – 12: 35 p.m.

- a. Motion to adjourn - Scott Moskovitz
- b. Second - Dr. Brenda Butka
- c. All in Favor - Aye
- d. Opposed - None

Attendees:

Name:	Organization:
Ashley Moore	Market City BBQ
Sam Boshra	Music City Crepes
Bill Caywood	nash TN
Jennifer Caywood	nash TN
Adriana Ortega	Succulent Vegan Tacos
Ronald Cerdas	Succulent Vegan Tacos
Jolie Yi	Farmers' Deli and Grill
Matthew Hancock	Hancock Farms
Hyo Gwan Jung	Bowl and Roll
Bennett Alvera	Lynchburg Soap Company
James Smith	J & D Smokers
Pedro Sandoval	Bella Nashville Pizzeria
Jennifer Kraus	News Channel 5
Will Radford	NFM Board Vice-Chair
Dr. Brenda Butka	NFM Board Secretary
Scott Moskovitz	NFM Board
Alex Lorenz	NFM Board
Darrell Lane	NFM Executive Director
David Griffin	NFM Staff
Heather Hoch	NFM Staff
Yolanda Manning	NFM Staff
Charles Kizer	NFM Staff
Courtney Cotton	NFM Staff
Theresa Costonis	Metropolitan Nashville Attorney
Erica Haber	Metropolitan Nashville Attorney