

September 29, 2023

City of Marion – Special Meeting

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Minutes of a Special Meeting of the City Council of the City of Marion held jointly with the Williamson County Board of Commissioners in the Williamson County Administrative Building Boardroom at 1:00 P.M. The City Clerk was instructed to call the roll and the response was as follows:

PHYSICALLY PRESENT: COMMISSIONERS BARWICK, WEBB AND
STOECKLIN AND MAYOR ABSHER.
ABSENT: COMMISSIONER PATTON

NEW BUSINESS

Mayor Absher stated the purpose of the meeting is to discuss the multimodal sports fields and dome for sports tourism. He said this is a thirty-five million dollar build out for facilities and parking. He asked if the city and county want to pool resources for this project since neither can afford to build it alone.

County Commissioner Rasor asked what level of agreement Mayor Absher was looking for today. Mayor Absher referenced item 6 a on the outline he provided to both boards and attorneys. This item references both the City and County Attorneys working on crafting a Public-Private Partnership Agreement. Mayor Absher asked the County Board if the math should prove if there is enough will to start drafting language for an agreement. He also indicated that an agreement would be needed with Rodney Cabaness' group.

Williamson County Board Chair Atkisson asked if the city is on board and Mayor Absher responded the city is on board to have this meeting today. County Board Chair Atkisson stated the County Board is ready to talk and to listen. Mayor Absher indicated he would walk through the outline that was distributed. He reported he met with USDA on Tuesday this week to discuss loan options. Since the city has greater borrowing power than the county, the city would be the borrower on a Community Facilities loan. The loan proceeds would be placed into a fund that would be overseen and audited by the city. The amount to be borrowed, loan term, interest and repayment were discussed during the meeting with USDA. The amounts discussed were all preliminary figures. The interest rate is currently 3.625 percent, and this is set internally by USDA and changes quarterly. Mayor Absher indicated both the city and county would need to rework their hotel tax ordinances as both would need to contribute three percent of their hotel occupation tax annually to the fund. Mayor Absher said the hotels will be the biggest beneficiaries of this change. He explained the hotel tax inflows will be used for debt service and maintenance costs. These annual maintenance costs were determined by SFA, the consultants who prepared the feasibility study. He explained the city, county, and private partners would all contribute money to the fund. The county would contribute \$640,000 annually in addition to the hotel tax. The city would contribute \$1,250,000 annually and the private partner would contribute \$1,000,000 into the fund in years one and two. The private partner will also donate approximately sixty-three acres to the complex. This amounts to a \$3.9 million value. They will have the responsibility for operation of the fields.

County Commissioner Rasor commented he appreciates the opportunity from the city to restructure the hotel tax. He thinks the county would not be able to participate in the project without that. County Commissioner Atkisson explained their hotel tax currently has restricted use. County Commissioner Rasor also stated it is important to include the taxpayer in this change

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and emphasize the money is coming from outside residents visiting and staying in the local hotels for sports events.

Mayor Absher stated there will be a well-defined procurement policy similar to the STAR Bonds Master Developer agreement which provides checks to ensure funds are being spent specifically. He also thinks there needs to be an intergovernmental agreement to provide checks and balances and to define the following: the monetary agreement from the city and county annually for twenty-five years; the city's fiduciary responsibility; the capital improvements to be funded in the future; the process for approving capital expenditures; the process for voiding or terminating a contract with an operator and finding a new operator; and the process for donating the land back to the current landowner if all contractual obligations are met (repayment of debt, future city/county leaders deciding to discontinue support).

Mayor Absher said he thinks he and City Attorney Cunningham along with County Board Chair Atkisson and County Board Attorney Barke need to negotiate the terms of an Intergovernmental Agreement and hold another joint meeting once both parties agree to have both boards consider and/or approve the agreement.

Mayor Absher thinks the P3-Public-Private Partnership Agreement needs to outline the terms for operational responsibilities and a succession plan in the case of the death, incapacitation, or retirement of the private partner or the selling of the complex. He also thinks a termination clause should be included in the case the private partner might engage in nefarious, illegal activity.

County Commissioner Marlo stated he thinks this is quite an opportunity and the time is right. He thinks it is a great thing for both the city and county and sees the start-up and termination processes as critical points since there must be a plan for the future. He thinks both boards can work together to take care of issues and believes an oversight board is a good idea. County Commissioner Rasor asked about the oversight board. Mayor Absher indicated that he might need help developing the oversight board concept. He thinks this comes after construction of the facilities before operations begin. He said that he and County Board Chair Atkisson need to have a conversation regarding the oversight board. He thinks the elected officials are responsible for how the money is being spent.

County Board Attorney Barke asked about a time frame from construction to first pitch. Mayor Absher and Chief of Staff Moake think it will be two years. County Board Attorney Barke also added that this project will utilize local trades as well as local labor.

County Board Chair Atkisson asked about a time frame for changing the hotel tax structure. Mayor Absher indicated he thinks the intergovernmental agreement should be drafted first. County Board Attorney Barke added that the hotel tax change should be a part of the Intergovernmental Agreement and should be passed at the same time.

Mayor Absher asked if there were any comments or questions from the Council.

The Williamson County Commissioners agreed to start working on an Intergovernmental Agreement with the city.

PUBLIC COMMENTS

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There were no public comments.

CLOSED/EXECUTIVE SESSION

Mayor Absher stated he did not have a need for executive session this evening and asked if any of the Commissioners had a need for executive session. Hearing no need for executive session Mayor Absher entertained a motion to adjourn the meeting.

Commissioner Webb made a motion to adjourn the Special Meeting. Commissioner Barwick seconded the motion.

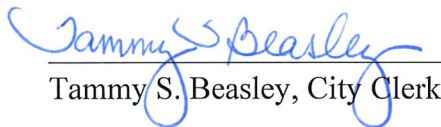
ON ROLL CALL VOTE COMMISSIONERS BARWICK, WEBB AND STOECKLIN AND MAYOR ABSHER ALL VOTED YEA. COMMISSIONER PATTON ABSENT.

Meeting Adjourned at 1:55 P.M.



Michael W. Absher, Mayor

ATTEST:



Tammy S. Beasley, City Clerk