



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Draft VENDING OVERSIGHT COMMITTEE

Wednesday, August 29, 2012

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room 313 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

Staff present were Capt. Carl Gloede (MPD), Warren Hansen (Street Vending Coordinator), Lara Mainella (City Attorney's Office), and Mark Woulf (Mayor's Office).

Present: 8 -

Michael E. Verveer; Scott J. Resnick; Rosemary Lee; Karen A. Foxgrover;
Sara J. Richards; Hawk Sullivan; Sean Lee and Teresa Schwerin

Absent: 2 -

Shantelle N. James and Austin E. McClendon

APPROVAL OF MINUTES

A motion was made by Richards, seconded by Verveer, to Approve the Minutes of May 30, 2012. The motion passed by voice vote.

PUBLIC COMMENT

There was none.

DISCLOSURES AND RECUSALS

There were none.

NEW BUSINESS

1. [27048](#) SUBSTITUTE Creating Sections 9.13(3)(a)3. and 9.13(3)(d) of the Madison General Ordinances to create a Community Service Rebate for mobile grocery store vendors and other street vendors' license fees.

Sponsors: Paul R. Soglin

Attachments: [Version 1](#)

Woulf said that the Madison Fresh Market owner had come up with the idea of driving a large truck into neighborhoods that had little access to fresh produce. The rebate system would make it possible to sell the produce at a reasonable price. Verveer said the Mayor had chosen to have the authority to participate in the rebate process. Mainella explained that the rebate process might not be needed forever, that it would not be eligible for neighborhoods not considered "food deserts". Rosemary Lee was opposed to the rebates.

Hansen gave an overview of the rebate discussion, saying that the Mayor viewed these efforts as community service and was willing to offer compensation of some kind. Meet n Eat was such a new idea to Madison that no one knew if street food vendors would want to extend their work days and appear at a gathering at which they might not make any money. Rebates were offered to vendors who participated in the first four Meadowood events, but it turned out that they made a sufficient amount of money, so the rebates were discontinued.

Rosemary Lee asked if all the basic Street Vendor License holders knew about it. Hansen explained that, when first inviting vendors, he had started with the food review scores of the Mall/Concourse vendors, so there would be some impartial criteria to begin with. Other types of street food vendors later asked if they could participate and Hansen included them if there was space.

He said that he expected this program to continue in the future and to include additional neighborhoods, so there should be opportunities for many food vendors. Woulf said that the rebates had turned out to be unnecessary and that other neighborhoods had expressed an interest for next year.

Mainella pointed out that this item had been referred to the VOC from the Common Council, which expected a recommendation of some kind.

Absent: 1 -
Shantelle N. James and Austin E. McClendon

Ayes: 4 -
Michael E. Verveer; Scott J. Resnick; Karen A. Foxgrover and Sara J. Richards

Noes: 1 -
Rosemary Lee

REPORTS

[27508](#)

Street Vending Coordinator's Report

Attachments: [Street Vending Coordinator Report June-August 2012.pdf](#)

Resnick asked what kind of cart had the name "Frosted". Hansen replied, "Cupcakes." It was noted that the well-regarded Ingrid's food cart was for sale.

Verveer noticed that there were a number of businesses that had received "no license" write-up's from Street Vending Monitor Eric Melton-White. Hansen said that there were two reasons for this. Now that there was a street vending website with downloadable applications, he had discontinued the practice of sending out numerous annual hard copy packets to each type of street vendor and sidewalk cafe operator. Many needed reminding.

The other reason was that a licensed street vendor might suddenly quit their job in a food cart, leaving the owner to scramble for a new employee who might not be licensed immediately. Hansen was also sometimes asked by a food cart operator if they could first have a trial run with a new employee who might not work out. Sean Lee had experienced this. Hansen said that if Melton-White noticed the new unlicensed person, a write-up would go out. Rosemary Lee wondered if a grace period could be established. Hansen said that this could become a future VOC agenda item.

DISCUSSION ITEMS

2. [25136](#) DISCUSSION ITEM: Sidewalk Cafe Alcohol Management and Sidewalk Cafe Closing Times

Attachments: [Ord12608 to eliminate sidewalk cafe restaurant class.pdf](#)

After suggesting a number of time variations, the committee seemed to favor uniform Citywide times for sidewalk cafe last call, for alcohol off the sidewalk cafe table, and for sidewalk cafe closing and "bundling" time. Gloede said that times should not be too late for residential areas. Mainella pointed out that the ALRC could also assign times on a case by case basis. Resnick suggested that any changes coincide with liquor license renewals in 2013. This item will reappear on the VOC agenda for additional discussion. Mainella circulated copies of pertinent ordinance language amending Section 9.13(6)j.3 of the MGO that was dated February 9, 2000.

3. [27507](#) DISCUSSION ITEM: Stencil City-approved locations on the outer Capitol Square

Hansen said that he had felt for some time that there should be regulations governing street musicians and other incidental or novelty vendors, like those who made balloon sculptures. Schwerin felt that this was a good idea. Foxgrover noted that their numbers were growing.

Rosemary Lee agreed but felt that the proposed ten-dollar fee needed to be higher. She also wondered if they would need insurance. Schwerin said that they should have to pay what she paid to be a Mall/Concourse Arts & Crafts vendor which, including the expense for insurance, was about \$1,000 per year. Schwerin also suggested that perhaps they should be charged by the amount of space they used.

Mainella said that this type of permitting might best fit in with the T & E ("tabling and expressive") permits. She said that it had more to do with free speech than commerce, and that some people would agree with this. The balloons might equal Arts & Crafts products, while the musicians were not selling or trading anything.

Rosemary Lee mentioned avoiding the permitting by accepting donations. Hansen pointed out that it was no longer legal to avoid getting the appropriate street vending license by making the donations claim. She asked how it would be enforced. Hansen said that it would be "hit and miss", as enforcement presently was. Schwerin mentioned that some musicians drew crowds that interfered with the flow of pedestrian traffic.

Hansen said that he intended to apply the stenciling system that worked well for currently licensed vendors. He would designate approved locations for such activities, preventing several unassociated street musicians from congregating at the same intersection and producing overlapping music.

ANNOUNCEMENTS

There were none.

ADJOURNMENT

Richards moved and Rosemary Lee seconded that the meeting be adjourned. The motion passed. Foxgrover adjourned the meeting at 6:35 p.m.

The next meeting of the Vending Oversight Committee is scheduled for Wed., September 19, 2012, not the last Wednesday of this month, due to Yom Kippur falling on September 26th. Conference room 313, Madison Municipal Building, 5 p.m.