



City of Madison

Meeting Minutes - Final

VENDING OVERSIGHT COMMITTEE

City of Madison
Madison, WI 53703
www.cityofmadison.com

Wednesday, April 25, 2007

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room 120 (Madison Municipal Building)

1. CALL TO ORDER

In the absence of Chair Karen Foxgrover, Vice Chair Hawk Schenkel called the meeting to order at 5:12 p.m. with a quorum present.

Present: Michael E. Verveer, Hawk Schenkel, Austin E. McClendon, Rosemary Lee and Matthew C. Rockwell

Absent: Karen A. Foxgrover

Excused: Thuy Pham-Remmele

2. PUBLIC COMMENT (Three Minutes Per Speaker)

Jack Williams of Genna's Lounge suggested that the Street Vending Coordinator be given the discretion to allow two-part sidewalk cafes when circumstances allowed. The committee asked Hansen to put this onto a future VOC agenda.

3. APPROVAL OF MINUTES (January 31, 2007 and February 28, 2007)

A motion was made by McClendon, seconded by Lee, to Approve the Minutes Hansen mentioned that there was an error at the end of the February minutes, in which he had mentioned an incorrect date for the next VOC meeting. With this correction noted, the minutes were approved. The motion passed.

4. NEW BUSINESS ITEMS

4a. [05600](#)

Amending Section 9.13(6)(j)3. of the Madison General Ordinances to repeal the requirement that restaurant wait staff must carry and serve all food, beverage and alcohol beverages to patrons within a sidewalk café.

A motion was made by Verveer, seconded by Lee, to **RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER** Licensed sidewalk cafe operator Schenkel abstained. The motion passed by the following vote:

Absent: Foxgrover

Excused: Pham-Remmele

Abstain: Schenkel

4b. [05656](#)

Amending Section 9.13(6)(j)1.a. of the Madison General Ordinances to allow all Mall/Concourse merchant vendors to display sidewalk merchandise on the same days.

This matter was **RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER**. The motion passed.

- 4c. [05872](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on June 2, 2007 during the 27th Anniversary COWS ON THE CONCOURSE and authorizing the Dane County Dairy Promotion Committee, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St. and the 100 & 200 blocks of Martin Luther King, Jr. Blvd.
A motion was made by Verveer, seconded by Lee, to Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM. The motion passed by acclamation.
- 4d. [05873](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on June 9, 2007 during Safety Saturday and authorizing the Madison Fire Department, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of N. & S. Pinckney and the 100 block of E. Washington Ave.
This matter was Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM. The motion passed.
- 4e. [05874](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions on June 27, July 4, 11, 18, 25 and August 1, 2007 (rain dates June 28, July 5, 12, 19, 26 and August 2, 2007) from 3:00 p.m. to 11:59 p.m. during the CONCERTS ON THE SQUARE and authorizing the Wisconsin Chamber Orchestra, as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the 10 blocks of E. & W Main St. and N. & S. Pinckney and the 100 blocks of E. Washington and MLK Jr. Blvd.
This matter was Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM. The motion passed.
- 4f. [05875](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses from 6:00 p.m. July 13 to 9:00 p.m. July 15, 2007 in the areas specified below for the benefit of the Madison Museum of Contemporary Art, so that the 49th Annual ART FAIR ON THE SQUARE may occur.

A motion was made to Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM Verveer moved and Lee seconded that this item be taken first, out of sequence, to accommodate Street Use Coordinator Kelli Lamberty (Parks Department), who was present. Lamberty provided an overview of the annual process of special event resolutions, ultimately requiring Common Council adoption, which described the parameters for the current year's major events on or near the Capitol Square. Hansen added that exclusive use status was not often granted, primarily effecting the regular street vending process for Art Fair on the Square, with only minor effects for Taste of Madison and Maxwell Street Days, as well as three or four MLK events.

Sanjay Lama (Shangri-La Collections, 125 State Street and Utpala, 122 State Street), expressed concern about not being allowed to display their merchant vending units during Art Fair on the Square, especially when sidewalk cafes were allowed to function as usual. Lee said that Art Fair was an old event and that sidewalk cafes were not in direct competition. Lama said that the four days devoted to merchant vending created much more visibility for his business and he could not understand why the presence of his merchandise was an issue. Schenkel asked Lamberty why the event organizer would care about merchant vending, adding that it seemed to be displacing people who did not need to be displaced. Lama observed that merchant vending created no safety issues.

Verveer said that, in the 1990's, he himself had suggested that sidewalk cafes be exempted from exclusion during special events, but that he now wished to put forward an amendment granting inclusion of merchant vendors on the 100 blocks around the Capitol Square for events, just as was given to the sidewalk cafes. Hansen asked if this would pertain to Capitol Kids (8 S. Carroll Street), whose merchant vending displays were located on the outer Square itself, and not on a 100 block. The committee agreed that merchant vendors on the outer Square should enjoy the right to operate during exclusive use events.

Abdallah Lababidi (Tiger Lily, 128 State Street) addressed the same issue. He said that Art Fair organizers had denied him his merchant vending presence in the past, not allowing him to even pay for the right to merchant vend. He added that merchant vending allowed his businesses to make more money on week-ends. Rockwell observed that all vendors received notice from Lamberty of forthcoming special events and notice of the related public hearings, and that the vendors had a choice to read them, to react and to prepare. Rockwell also suggested that a written letter could exert some power in some situations, that Lababidi write a letter to Art Fair organizers.

Lee asked why Lababidi had waited so long to express this problem to the VOC. Schenkel pointed out that Lababidi was now before them and that he was talking about it with them and trying to change things in the present. Schenkel added that he felt that the current single outer Square merchant vendor Capitol Kids also be given the right to sidewalk presence. Lamberty pointed out that, because of the various resolutions describing the special events, such privileges would likely pertain only to Art Fair week-end.

The motion passed by the following vote:

Absent: Foxgrover

Excused: Pham-Remmele

Aye: Verveer, Schenkel, McClendon and Rockwell

No: Lee

- 4g. [05876](#) Authorizing the Madison Museum of Contemporary Art, as sponsor of the 49th Annual ART FAIR ON THE SQUARE, EXCLUSIVE RIGHTS to select vendors, salespersons, vending sites and performers for the duration of this special event, 6:00 p.m. July 13 to 9:00 p.m. July 15, 2007, within the perimeter of the area, defined in the companion resolution, involved in the event.
- This matter was Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM. The motion passed.**
- 4h. [05877](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE certain Mall/Concourse vending licenses from 6:00 p.m. July 13, to 9:00 p.m. July 15, 2007 on the 200 block of Martin Luther King, Jr. Blvd. for the benefit of WI Alliance of Artists & Craftspeople, so that ART FAIR OFF THE SQUARE may occur.
- This matter was Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM. The motion passed.**
- 4i. [05878](#) Authorizing the WI Alliance of Artists and Craftspeople, as sponsor of the ART FAIR OFF THE SQUARE, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the ART FAIR OFF THE SQUARE, from 6:00 p.m. July 13 to 9:00 p.m. July 15, 2007 on the 200 block of Martin Luther King Jr. Blvd.
- This matter was Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM. The motion passed.**
- 4j. [05879](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses on July 20, 21 and 22, 2007 in the areas specified below for the benefit of the Greater State St. Business Association (GSSBA), so that MAXWELL ST. DAYS may occur.
- This matter was Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM. The motion passed.**
- 4k. [05880](#) Authorizing the Greater State Street Business Association (GSSBA), as sponsor of MAXWELL ST. DAYS, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of MAXWELL ST. DAYS, July 20, 21 and 22, 2007 within the perimeter of the area involved in the event.
- Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM**
- 4l. [05881](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on August 8, 15, 22, 29 and September 5, 2007 during the Jazz @ 5 concert series and authorizing Jazz @ 5 Inc., as sponsor of the special event, to select vendors, vending sites and performers within the 100 block of State

St. for the duration of the special event.

Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM

- 4m. [05882](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE certain Mall/Concourse vending licenses from 1:00 p.m. September 1, 2007 to 11:59 p.m. on September 2, 2007 in the areas specified below for the benefit of Madison Festivals Inc., so that TASTE OF MADISON may occur.

Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM

- 4n. [05883](#) Authorizing Madison Festivals Inc., as sponsor of the TASTE OF MADISON, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the TASTE OF MADISON, from 1:00 p.m. September 1, 2007 to 11:59 p.m. on September 2, 2007, within the perimeter of the area involved in the event.

Return to Lead with the Recommendation for Approval to the STREET USE STAFF TEAM

5. Discussion About Allowing Sidewalk Cafe Operators to Temporarily Adjust Enclosures to Accommodate Patrons

A motion was made by McClendon, seconded by Verveer, to refer this item to a future meeting. The motion passed.

6. ADJOURNMENT

A motion was made by Verveer, seconded by McClendon, to Adjourn Schenkel adjourned the meeting at 6:05 p.m. The next meeting of the Vending Oversight Committee is scheduled for Wednesday, May 30, 2007, 5 p.m., Madison Municipal Building, Parks Office Large Conference Room, Room 120. The motion passed.