



City of Madison

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

Wednesday, February 29, 2012

5:00 PM

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

CALL TO ORDER / ROLL CALL

Foxgrover called the meeting to order at 5:07 p.m. with a quorum present.

Present: 7 -

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

Absent: 1 -

Austin E. McClendon

Excused: 1 -

Teresa Schwerin

APPROVAL OF MINUTES

Rosemary Lee moved and Sara Richards seconded to approve the minutes of
January 26, 2012. The motion passed.

PUBLIC COMMENT

There was none.

DISCLOSURES AND RECUSALS

There were none.

NEW BUSINESS

1. [24709](#) Amending Secs. 9.13(6)(j)1.a. and (h)3.a.iii. of the Madison General Ordinances to allow Merchant Vending in the State Street Mall/Capitol Concourse Vending area on all days when the business is open and increase the annual license fee for merchant vendors.

Sponsors: Michael E. Verveer

Verveer moved and Rosemary Lee seconded that this item be approved. The motion carried. This Ordinance was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

2. [25157](#) Amending Sections 9.13(6)(e)1.a. and 9.13(6)(f) of the Madison General Ordinances to establish special spray paint artist sites as a category of Arts/Crafts vendor on the Mall/Concourse.

Sponsors: Scott J. Resnick and Michael E. Verveer

A motion was made by Lee, seconded by Richards, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

3. [25236](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to create Spray Paint Artists vending sites and rules for Arts and Crafts vendors to operate as Spray Paint Artists.

Sponsors: Scott J. Resnick and Michael E. Verveer

Richards moved and Rosemary Lee seconded that the item be approved. The motion carried. This Resolution was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

4. [25248](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" and "Regulations Governing Vending in High Density Vending Areas" to allow generator use and update electrical rules for vendors using electricity.

Sponsors: Scott J. Resnick and Michael E. Verveer

Resnick moved and Rosemary Lee seconded that this item be approved. The motion carried. This Resolution was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

5. [25250](#) Amending Section 9.13(6)(l)2. of the Madison General Ordinances to allow Mall/Concourse vendors to use generators and modifying the rules for AC electrical use.

Sponsors: Scott J. Resnick and Michael E. Verveer

Richards moved and Rosemary Lee seconded that this item be approved. The motion carried. This Ordinance was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

DISCUSSION ITEMS

6. [25136](#) DISCUSSION ITEM: Sidewalk Cafe Alcohol Management and Sidewalk Cafe Closing Times

There was general discussion about sidewalk cafe closing hours and how to store sidewalk cafe components at sidewalk cafe closing times. Sullivan, Richards, and Verveer agreed that there should be more discussion of closing times and what the appropriate next steps should be and that the police should be invited to attend a future meeting. This item would appear on a forthcoming VOC agenda.

7. DISCUSSION ITEM: Moving street food vendors at the request of a new business entering a store front.

Two similar situations exist.

A new tenant (Alterra) is considering moving into the unoccupied street-level corner of the Tenney Building at S. Pinckney and E. Main Street but only if two weekday street vendors and several Saturday vendors are completely removed from the space immediately outside the building. There are nearby locations to which the two weekday vendors could be relocated, but no alternative sites for the Saturday vendors (Fee revenue: \$2,100 compared to \$500 for a sidewalk cafe.).

Ian's Pizza plans to occupy the former Children's Museum space and operate a sidewalk cafe outside on State Street. Several Saturday street vendors use the site but no street vending takes place there at other times. There are no alternate locations for the Saturday vendors (Fee revenue: \$4,200 compared to \$500 for a sidewalk cafe.).

A compromise currently exists with The Cooper's Tavern on W. Mifflin Street. They reduce the size of their sidewalk cafe until 3 p.m. on Saturdays, after the street vendors have gone from W. Mifflin Street, and expand to the full sidewalk cafe dimensions afterwards.

The State Street sidewalk is not wide enough to accommodate both a sidewalk cafe and street vendors, but there may be enough space for both, with a temporary reduction in the size of the Alterra sidewalk cafe, until after 3 p.m.

Nick "Marty" Martin, an Ian's Pizza co-owner, participated in the conversation about this item because Ian's wished to operate a sidewalk cafe except that there was a logistical challenge with the presence of Saturday Arts & Crafts vendors. John Bergh, a real estate agent negotiating with Alterra Coffee to occupy the street-level space in the Tenney Building, also spoke.

There was extended general discussion about alternatives to accommodate the traditional Saturday outer Capitol Square street vendors when businesses occupying formerly vacant spaces wished to operate sidewalk cafes on Saturdays during Dane County Farmers Market season. Hansen said that he was just about out of spaces to which he could relocate Saturday street vendors and that he advocated compromises with the timing of sidewalk cafe set-up's, as already existed with The Cooper's Tavern on W. Mifflin Street. A few possible compromises were discussed. None present appeared to want to put any street vendors out of business because of the appearance of new sidewalk cafes.

Verveer moved and Resnick seconded that Hansen make another effort to appropriate City staff to move at least two of the benches on the 100 block of State Street to another location on that block. The motion passed.

Sean Lee said that he regarded his food cart and his sidewalk cafe in an equal light. He also said that his cart and another food cart before him had occupied the same site in front of the Tenney building for twenty eight years, but that he would be willing to move across the street in the spirit of cooperation.

Verveer moved and Resnick seconded that Hansen have the Capitol Square street vending map revised by moving the two weekday food vending sites across the street onto E. Main Street. The motion passed. Verveer commended Sean Lee for his willingness to compromise. Hansen said that if Alterra owners changed their minds about moving into that space, the map revision would be rendered unnecessary.

Verveer also asked Hansen to make an attempt to identify additional "inferior" but useable Saturday Arts & Crafts vending sites around the outer Square.

ANNOUNCEMENTS

There were none.

ADJOURNMENT

Richards moved and Sullivan seconded that the meeting be adjourned. The motion carried. Foxgrover adjourned the meeting at 7:22 p.m.

The next meeting of the Vending Oversight Committee is scheduled for Wednesday, March 28, 2012, 5 p.m., Conference Room 313 in the Madison Municipal Building, 215 Martin Luther King, Jr. Blvd.