



# City of Madison

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

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Wednesday, October 26, 2011

5:00 PM

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

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### CALL TO ORDER / ROLL CALL

Foxgrover called the meeting to order at 5:10 p.m. with a quorum present.

**Present:** 7 -

Ald. Michael E. Verveer; Ald. Scott J. Resnick; Sara J. Richards; Austin E. McClendon; Rosemary Lee; Karen A. Foxgrover and Hawk Schenkel

**Absent:** 1 -

Sean Lee

**Excused:** 1 -

Teresa Schwerin

### APPROVAL OF MINUTES

A motion was made by Lee, seconded by Ald. Resnick, to Approve the Minutes.  
The motion passed by voice vote/other.

### PUBLIC COMMENT

There was none.

### DISCLOSURES AND RECUSALS

There were none.

### NEW BUSINESS

1. [24148](#) Amending Section 12.325(1) to remove the street-use permit exception to the prohibition against soliciting from the highway.

**Sponsors:** Paul R. Soglin

A motion was made by Ald. Resnick, seconded by R. Lee, to Return to Lead with the Recommendation to Place on File without Prejudice to the COMMON COUNCIL or, in other words, the committee made no recommendation because this referral had nothing to do with street vending and was outside the committee's purview. The motion passed by voice vote.

2. [21128](#) ACTION ITEM: Remove Site F from the Langdon Street High-Density Vending Area. See attachment.

Attachments: [2011Jan State Street Vending Sites.pdf](#)

Hansen explained that this item had reappeared on the VOC agenda because he had omitted the required Action step in Legistar.

## REPORTS

3. [24322](#) STREET VENDING COORDINATOR'S REPORT

Attachments: [VOCStaff Report Oct 2011.doc](#)

Hansen said that he had nothing to add to the written report.

## DISCUSSION ITEMS

4. [21889](#) DISCUSSION ITEM: Make illegal any airborne art or airborne performance art such as spray painting and air brushing.

The committee reviewed discussion points about this item that had come up in the past. Foxgrover asked why it was on the agenda again. Hansen said that it was because the item was still unresolved. Mainella had no additional language. Schenkel felt that the matter should be resolved before spring 2012. Mainella would work with Hansen to shape this language, probably resulting in the two performance spray paint artists becoming a subset of Mall/Concourse Arts & Crafts vendors. R. Lee referred to Schwerin's objection to airborne art being allowed at all. Verveer said that the Madison Museum of Contemporary Art had no objections to the presence of such an artist outside their building. Although he wondered when the current mayor would finalize a more strategic plan for State Street, Verveer suggested that the VOC meanwhile recommend that this law be passed in the near future.

5. [22998](#) DISCUSSION ITEM: Activities Involving the Placement of Objects onto Public Property

Attachments: [table ordinance DRAFT June 2011 for VOC discussion.pdf](#)

There was no new draft language from Mainella, who recalled that appropriate stakeholders were to have been invited to a future meeting with this item on the agenda. Verveer referred her to the June minutes, suggesting that they contained most, if not all, of the answers that Mainella would need to draft complete language, with Verveer and Resnick sponsoring. Hansen said to Mainella that, if she had questions after examining the June minutes, she could speak to him about it and that he could ultimately lend her the meeting tape if necessary.

6. [24321](#) DISCUSSION ITEM: Is the six-foot minimum distance allowing for pedestrian traffic, with regard to vendor displays and sidewalk cafes, still adequate on sidewalks on which more space is available? Should the distance be increased, when possible, to seven, eight, or nine feet?

**Hansen said that the widths of sidewalks on various blocks of State Street had changed with recent construction, and he wondered if the six foot minimum distance between a sidewalk cafe and a building should be adjusted accordingly. The committee felt that the six foot minimum distance should remain.**

7. [24320](#) DISCUSSION ITEM: Referring to whether or not a street food vendor will be using City electricity as generators are more widely becoming alternatives to City electricity. If a street food vendor will not be using City electricity, they must submit a letter stating that they are not using City electricity. If they do decide to use City electricity, a 120 volt/15 amp circuit breaker must be present within the cart before opening for business.

**Hansen explained that an increasing number of food vendors were using generators, which meant that they were no longer using public electricity. He pointed out that there was ordinance language requiring a specific type of electricity-related circuit breaker. Hansen recommended that vendors not using City electricity not be required to have any cart modifications done and that existing ordinance language be updated as appropriate. Vendors not electing to use public electricity would indicate as much by checking a box during the application process. Verveer asked Mainella to draft appropriate language, with Verveer and Resnick sponsoring.**

## ANNOUNCEMENTS

**Verveer announced that file ID 23344, pertaining to street vending in the Alliant Energy Center vicinity, had not been finalized. He asked staff to follow up.**

## ADJOURNMENT

**A motion was made by Ald. Verveer, seconded by Lee, to Adjourn. The motion passed by voice vote. Foxgrover adjourned the meeting at 6:15 p.m.**

**The next meeting of the Vending Oversight Committee is scheduled for Wednesday, November 30, 2011, 5 p.m., Madison Municipal Building, conference room 313.**