



# City of Madison

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

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Wednesday, February 23, 2011

5:00 PM

215 Martin Luther King, Jr. Blvd.  
Room LL130 (Madison Municipal Building)

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### CALL TO ORDER / ROLL CALL

Sara Richards chaired the meeting. She called the meeting to order at 5:13 p.m. with a quorum present. There were three visitors wishing to speak. Richards asked all present to introduce themselves.

**Present:** 5 -

Sara J. Richards; Ald. Thuy Pham-Remmele; Ald. Michael E. Verveer;  
Rosemary Lee and Sean Lee

**Excused:** 5 -

Austin E. McClendon; Teresa Schwerin; Karen A. Foxgrover; Toriana T.  
Pettaway and Hawk Schenkel

### APPROVAL OF MINUTES - Minutes of January 23, 2011

Verveer pointed out that Minutes items 3 and 4 did not note who had moved and seconded. Verveer moved and Rosemary Lee seconded that the minutes be approved after the names were added to the two items. The motion passed.

### PUBLIC COMMENT

There were three persons present to speak: Adrian Gay, Mark Lemon, and Catherine Tracy. Hansen pointed out that they were there to discuss the seniority circumstances for Mall/Concourse Arts & Crafts vendors, so this item was bypassed. They would speak during item 1.

### DISCLOSURES AND RECUSALS

There were none.

### NEW BUSINESS

1. [21005](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" and "Regulations Governing Vending in High Density Vending Areas" to revise the method of counting years of seniority for Mall/Concourse, Camp Randall, and Langdon Street vending licenses, so that only consecutive years of licensing will be counted, creating a sabbatical option, and changing the tie-breaker process so that it is no longer determined alphabetically.

**Sponsors:** Thuy Pham-Remmele and Michael E. Verveer

**Attachments:** [Seniority 3-30-11.pdf](#)

**Prolonged discussion led to the following: That the language be re-drafted deleting the reference to averaging the seniority of two vendors, that a vendor would be removed from the seniority list if they take two years out of three years off, that no seniority years would be gained during years off, and that, when two Arts & Crafts vendors were sharing a license, the vendor with the lower seniority would have to "float" on days that the vendor with the higher seniority was not present. Verveer moved and Rosemary Lee seconded that the VOC adopt the resolution as amended. The motion passed.**

2. [21014](#) Amending Sections 9.13(6)(n)4.b. and 9.13(10)(g)2. of the Madison General Ordinances to revise the method of counting the years of seniority for Late Night and Southeast Campus street vendors.

**Sponsors:** Thuy Pham-Remmele and Michael E. Verveer

**Verveer moved and Pham-Remmele seconded that this item be referred to the next VOC meeting either separately with no changes or as incorporated with item 1. The motion passed.**

3. [21018](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to require Mall/Concourse Food Vendors to offer the full selection of approved menu items whenever open for business, to clarify the rules for menu signs on the cart, to prohibit changes in signage, and prohibit signs from being displayed above or to the side of the food vending carts.

**Sponsors:** Thuy Pham-Remmele and Michael E. Verveer

**It was agreed that this item be referred to the next VOC meeting. Verveer moved for reconsideration and Pham-Remmele seconded. The motion passed.**

4. **DISCUSSION ITEM: Make illegal any airborne art or airborne performance art such as spray painting and air brushing. In this case, VOC stands for "Volatile Organic Compounds". The correct terminology for this item is still being sought.**

Hansen explained that Mainella was still seeking the appropriate technical language for this item.

5. [21460](#) **DISCUSSION ITEM: Regent Street Area and High Density Vending Area Perimeter During University of Wisconsin Home Football Game Days.**

1. Establish Regent-Monroe Street Game Day Vending Area, with assigned sites, for 2011 football season.

2. Adjust the perimeter of the High Density Vending Area to exclude the northern half of the block of Jefferson Street between Regent Street and Oakland Avenue so that street vending may be conducted there. See attached map.

Attachments: [Camp Randall High Density Vending Map.pdf](#)

Hansen said that it was his intention for the game day sites to pertain only to UW Madison home football games. Verveer wondered about vendor site use for other events. Hansen said that the vendors were entitled to use public property in the area because they had Street Vendor Licenses which entitled them to do so. Verveer asked Hansen if he had the authority to tell the basic Street Vendors to occupy certain places. Hansen explained that the stencils had been placed at locations that vendors had already been using for years, that he had asked if the vendors were comfortable with them and that they were. Verveer asked what the difference was between the Camp Randall High Density Vending Area and the Regent St vending area. Hansen said that the primary reason was that the High Density Vendors paid an additional \$475 per year. Verveer asked if Hansen's primary concern for the new site assignments was safety. Hansen replied in the affirmative. Verveer asked Hansen to review the approximate dimensions of the new map. He did so. Verveer asked that a map accompany this item in the future. Verveer moved and Rosemary Lee seconded that appropriate language be drafted by Mainella.

6. **DISCUSSION ITEM: Activities Involving the Use of Objects Placed on Public Property**

It was decided to refer this item to a future VOC meeting.

7. **DISCUSSION ITEM: Draft Language for Leaving Food Cart Unattended**

Hansen explained that this item had been included in error and that it was actually covered by item 8.

8. [21465](#) New 90-Minute Cart Rule

Attachments: [mall regs amend 90 minutes cart 2011.doc](#)

Rosemary Lee asked if this ninety-minute rule should pertain to all vendors. Mainella said that there might be different circumstances in different vending areas. Hansen added that food arts could be securely closed but that most Arts & Crafts displays were tents that were more vulnerable, that perhaps the attorney's advice should be considered. Verveer asked that Mainella draft language that would pertain to all types of vendors.

9. [21464](#) Discuss 4 components for mall/concourse vendors and continued discussion of seniority issues.

Attachments: [res to amend all regs for seniority consecutive years January 2011 plus new i](#)

Ultimately, Mainella was asked to merge items 1, 2 and 9, all of which pertained to seniority matters. It was agreed that this new amalgamated item would be referred to the next VOC meeting.

## REPORTS

### [21133](#)

**STREET VENDING COORDINATOR'S REPORT:** This may include references to enforcement activities, licensing statistics, Health Department matters, special events, street food publications, street food conferences, media contact, the 2010 food cart review, and banner displays.

Attachments: [Staff Report 3-30-11.pdf](#)  
[VOCStaffReportJanuary2011.pdf](#)

Hansen mentioned that City Accela staff had fulfilled his request to record the exact time the license was created. This would remove any doubt of when a vendor's seniority would begin, especially for vendors who were licensed on the same day.

He said that he had also asked for separate menu boxes for Daily and Saturday only Mall/Concourse food vendor applications. He acknowledged Verveer's statement that Hansen was now responsible for all vending licensing and permitting. Hansen said that he preferred this new arrangement, that it was more efficient, more convenient for all, and that he expected good things from it in the future.

**ANNOUNCEMENTS**

Pham-Remmele announced that the grandfather of Viet Hoang had passed away. He had been the relative of other family members who operated Mall/Concourse food carts. Hansen mentioned that Viet Hoang had once served as a VOC appointee.

**ADJOURNMENT**

Pham-Remmele moved and Rosemary Lee seconded that the meeting be adjourned. The motion passed. Richards adjourned the meeting at 8:11 p.m.

The next meeting of the Vending Oversight Committee is scheduled for Wednesday, March 30, 2011, 5 p.m., Conference Room 313, Madison Municipal Building.