



City of Madison

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

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

Wednesday, October 27, 2021

5:00 PM

Virtual Meeting

CALL TO ORDER / ROLL CALL

The Chair, at 5:09pm, called the meeting to order, with quorum present.

Present: 6 - Michael E. Verveer; Gary Halverson; Marlys M. Miller; Colin R. Barushok;
Jack T. Thurnblad and Aaron D. Collins

Excused: 2 - Michelle L. Quigley and Sean Lee

APPROVAL OF MINUTES

Halverson made a motion and a second by Verveer to approve the minutes from the 8/25/21 meeting. The motion was approved by a voice vote/other approved the motion.

PUBLIC COMMENT

1. [66873](#) Public Comment

Clarke Heine – Owner Marigold Kitchens - spoke regarding Streatery Program
Joshua Berkson - Owner Lucille/Merchant submitted written comments regarding Streatery Program

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

DISCUSSION ITEMS

2. [68043](#) VOC Membership, Quorum and Vacancies

Kipp Thomas is no longer on the committee, because he moved out of Madison. He expressed his thank yous for the time he was on the committee.

There are a two of openings on the VOC. Send recommendations to Meghan Blake-Horst for those interested in sitting on the VOC.

3. [67054](#) Streatery review and discussion

Discussion only, no action items. Streatery presentation by Street Vending Staff.

Current outstanding policy questions reviewed:

Pedestrian sidewalk width"

- Café pedestrian path from 6 to 7 ft. Lateral expansion. For the entire city.
- Concerns related to decreasing space if a business has been at the 6' minimum.

- What is the terrace size, width? How to gauge the question. Making a blanket recommendation doesn't work for all. Problems.

- Why 7ft?

6ft is ADA requirement. 7 would allow more space. To alleviate pedestrian congestion. Not one consistent sidewalk.

- Have it based on sidewalk size. Would one foot make a difference?

Lateral expansion?

- Makes since to have lateral expansion with neighbors permission. Only one complaint. Worked out well. Should be made permanent in all directions.

- Did staff team consider different sidewalk widths?

Staff didn't discuss street by street, only a standard. This has been a suggestion. More discussion coming. Must have written permission.

- How does it work with bike rack and benches. Can the city move them? Depends on the amenity. Planter is easy, kiosk can't be moved. Bike racks and benches are harder to move. They have been moved. Currently case by case

- Some won't have an option to expand. My big questions. Some may lose space. A pedestrian mall into the street would allow for an expansion.

- As a pedestrian. Would be worth it on State St to consider 7ft on a block-by-block basis. The tradeoff is allow for the lateral expansion, if the best interest if the agreements are vetted before a dispute.

Lateral expansions before approval granted, permission letters in hand.

Tenant permission vs. property owner. Are considering having both permission. To be proactive is best.

During the COVID era, lots of business are telling people to eat outside, now taking away space, being able to move lateral or not is taking money away from people.

Remediation is to keep it at 6ft. If we expand laterally, we should have it at 50%.

Proposed fee structure:

- Traffic engineering has given guidance for delineators and safety. No recommendations for equipment. Some streets won't be allowed based on traffic volume. Not alternate street parking.

- Slide with data was presented. Not proposing to make changes to fees on the sidewalk only in the parking lanes. Add \$2 per square foot for in the parking lane.

- New fees? Flat fee across the board. Only allow certain hours. Some businesses only open for certain hours. Seasonal Streatery is being proposed with a winter add on if a business is interested. Logistical challenge for splitting up the day.

- What would existing businesses think of the fees? Financially reasonable compromise for fees. We can't expand, but this is reasonable. Good argument for this.

- Fees are OK. Concerned about traffic flow and lack of parking for those that park downtown. Chronic problem.

- Fees seem low, could consider recouping more, maybe not 100%. Citizens who pay parking fees.

- Impact on parking utility, policies – fees slide. All program costs are covered by the fees. Don't want a profit or a loss. Increased fees and added additional staff. BID grant paid by fees. General fund gets the funds. More money to the mall crew. Effort to look at costs, BID annual cost, Mall maintenance, and other City costs.

Additional \$2 would be to cover City costs, yes. Parking would have their revenue in the winter with the proposal that the Streatery closes, Nov-April. Pre-Covid number and projections would not cover 100%.

- If TE is OK, then OK. Staff team to do an analysis to make sure we are covering both SV staff, TE fees, BID programming, Mall maintenance, LN vending locations. Fees are equitable because they cover all of the costs. Make sure the program is not subsidized by the General fund. Look at, moving forward. Example State St. Brats has a lease or privilege in streets. Wando's example would have some equity issues. Same with Colectivo. What does Brats pay to compare. Staff will look into both.

Storage Policies:

Number one question from businesses is about allowing items to be stored in the right of way overnight. Most business have been following. During COVID less compliance. Equity with those that could not compared to those that could in a parking lane. Number one thing we have heard from operators. City operations are challenged.

- I see the pros of this for lan's. Also cons, safety, make sure it's locked, that it's not used for destruction, theft. Operational, property damage, staff, that would be great.

- Challenge to have enough staff to operate and we should make allowances.

- Timeline when most cafes close up? I get the labor issue. Concerned the equipment would be damaged, stolen, stupid thing happening. Different rules for heaters, need to be stored securely.

- Mall maintenance and crew were OK with this, as long as not in the winter.
Confirm?

Difficult but able to manage, but OK. Stains from equipment and not everything being cleaned. Questionable what it will look like from current examples. Equipment can be stored out after close for 30 min.

- Mall maintenance considered to have cafes removed for some time during the course of the week.

Not a lot of conversation about this. Can only be between 1am, bar, and 4am, café. Logistically, challenging. Mark would like to have it cleared to make it easier to do their work. To do their operations as clean and easily as possible.

Permanent structures in the right of way, like ramps and fencing:
No comments.

License calendar:

- Moving away from encroachment agreements. Equity.

Special event conflicts:

- How are we currently managing?

Pre-COVID, could make the requests. Rarely affecting cafes. Currently has not come up.

Some events will make this an issue ongoing.

Accessibility:

Ramps. Ensure compliance. And Safety. Furniture in enclosures. Amenities.

REPORTS

4. [67053](#) Staff report

No comments on staff report.

ADJOURNMENT

Next meeting on 11/24/21 is cancelled. If a special meeting for December needs to be called a note will go out to members to determine the best date to meet.

A motion was made by Verveer and a second by Barushok to adjourn the meeting. The motion was passed by a voice vote/other. The meeting was adjourned at 7:17pm.