



City of Madison

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

Wednesday, May 28, 2014

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room 300 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

Richards called the meeting to order at 5:09 p.m. with a quorum present.

Present: 8 -

Michael E. Verveer; Scott J. Resnick; John N. Magnino; Marlys M. Miller;
Liliana Fabela; Sara J. Richards; Maureen K. O'Grady and Aaron D.
Collins

Absent: 1 -

Peter J. McElvanna

Excused: 1 -

Sean Lee

APPROVAL OF MINUTES

Magnino moved and Collins seconded that the minutes of April 30, 2014 be approved. The motion passed.

PUBLIC COMMENT

The following people spoke, essentially to complain that Curt's Gourmet Popcorn had a Saturday site assignment that was too close to Clary's Popcorn: Mary Carbine, Ken Clary, Daniel Milsted, and Maria Milsted.

DISCLOSURES AND RECUSALS

There were none.

NEW BUSINESS

REPORTS

33163

Street Vending Coordinator's Report, including enforcement, activity, licensing and permitting numbers, the number of chairs in each sidewalk cafe

Attachments: [VOC Staff Report May 2014.pdf](#)
[VO Staff Rpt Apr 2014.pdf](#)
[VOC Staff Rpt Feb 2014.pdf](#)
[VOC Staff Rpt Jan 2014.pdf](#)

There were no questions about Hansen's report. The Street Vending Monitor Eric Melton-White was present and Verveer asked him for his comments. Melton-White said that the increase in the number of food carts made it more difficult for other vendors, especially on Saturdays. Removing the waiting list, he felt, undermined food cart review standards.

DISCUSSION ITEMS**1. Consider minimum distance from food carts to restaurants.**

Hansen said that that, at the request of the VOC, there were too many vendors allowed on the Mall/Concourse this season and that it was complicating things for all concerned, including other vendors. Widespread construction had also had an effect on where some vendors were placed this year. He urged the committee to return to a smaller and more workable number of vendors and to allow a longer waiting list. He reminded those present that the annual food cart review was a competition. He also suggested that the VOC rethink the placement and numbers of some vendors on the outer Capitol Square for next season, and to perhaps consider a minimum distance from restaurants and storefronts. He would become still more cognizant of the proximity some food vendors to certain types of businesses.

Hansen also said that brick and mortar establishments traditionally had to work with whatever fixed public amenities existed outside their storefronts on the sidewalks. He explained that he had done some food cart repositioning when a new business entered a storefront.

Verveer reviewed what the next steps might be, including the Curt's Popcorn cart, to establish an operating principle, and possibly codifying minimum distances between the present and the 2015 street vending season

Verveer asked if Hansen was aware of vendor versus brick and mortar relationships in other cities. Hansen did know, saying that many cities were experiencing bitter conflicts, that some had substantial minimum distance laws, which he had referred to as "Protectionism." Such friction in Madison was minor compared to anywhere else but a few cities in North America.

2. Annual food cart review criteria, including panelist guidelines, panelist selection, score sheet, and other related criteria.

Hansen circulated copies of the documents he prepared for food cart reviewers every year before the annual review. There would be further discussion in the future.

3. Reinstate vending law change deadline of February first each year.

Hansen said that Assistant City Attorney Mainella had mentioned that the law change deadline of February first each year might be reinstated. Without it, changes to the street vending ordinance and regulations could remain in a state of constant flux, not a desirable situation. Verveer asked Hansen to bring this to Mainella's attention and for her to prepare suitable draft language.

4. Is six feet a sufficient width between a State Street sidewalk cafe and the property line of businesses?

The committee agreed with Hansen's recommendation to allow the sidewalk creases on State Street to determine Sidewalk Cafe and Merchant Vending distances from the curb and from the building facades, all of which would allow a wider space than six feet for the flow of pedestrian traffic. The width would vary from block to block. Verveer asked Hansen to bring this to Mainella and request the drafting of appropriate language.

5. Require Mall/Concourse Food Vendors to move into their Saturday sites by 7 a.m.

Verveer asked Hansen whether he felt this time change should occur in the near future. Hansen felt that it would be better to allow the vendors advance notice and that April of 2015 would be soon enough to begin. Verveer asked Hansen to contact Assistant City Attorney Mainella about this item.

6. [32005](#) Consider an "Umbrella" License for Mall/Concourse Food Vendors

This item would reappear on a future agenda.

ANNOUNCEMENTS

Liliana Fabela announced that she was resigning from the VOC due to increased family obligations.

ADJOURNMENT

There was discussion about when the VOC should next meet. It was decided that there would be no meetings in June or July.

The next meeting of the VOC is scheduled for Wednesday August 27, 2014, 5 p.m., Madison Municipal Building, Room 300.

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