



City of Madison

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

Wednesday, April 24, 2013

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 5:11 p.m. with a quorum present.

Present: 9 -

Michael E. Verveer; Scott J. Resnick; John N. Magnino; Marlys M. Miller;
Sara J. Richards; Liliانا Fabela; Sean Lee; Peter J. McElvanna and
Teresa Schwerin

APPROVAL OF MINUTES

Magnino moved and McElvanna seconded to approve the minutes of the March 27, 2013 VOC meeting. The motion carried.

PUBLIC COMMENT

There was none. Mary Carbine was registered in support of items 1 and 3.
Steven Lawrence was registered in support of item 3. Both were available to
answer questions.

DISCLOSURES AND RECUSALS

There were none.

NEW BUSINESS

1. [29729](#) SUBSTITUTE Amending Sections 9.13(4)(m) and (r), (6)(j)3., (6)(i)1., and (6)(j)2.c. and creating Section 9.13(5)(h) of the Madison General Ordinances to make the closing time for sidewalk cafés with alcohol beverage licenses consistent city-wide and amending the rules for furniture removal for sidewalk cafés.

Sponsors: Michael E. Verveer and Scott J. Resnick

Attachments: [Version 1](#)

This Ordinance was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

Verveer moved and Magnino seconded that the item be approved. The motion carried.

Ayes: 7 -

Michael E. Verveer; Scott J. Resnick; John N. Magnino; Marlys M. Miller; Sara J. Richards; Liliana Fabela; Sean Lee; Peter J. McElvanna and Teresa Schwerin

2. [29745](#) Authorizing amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse" to change the duration of the Fall Food Vending Review and to revise the method for tabulating final scores.

Sponsors: Michael E. Verveer

This Resolution was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

Magnino moved and Miller seconded that the item be adopted. The motion carried unanimously.

Ayes: 7 -

Scott J. Resnick; John N. Magnino; Marlys M. Miller; Sara J. Richards; Liliana Fabela; Sean Lee; Peter J. McElvanna; Teresa Schwerin and Michael E. Verveer

3. [29765](#) Amending Section 9.13(6)(n)3.c. and creating Section 9.13(6)(n)3.d. of the Madison General Ordinances to modify the perimeter of the Broom Street Late Night Vending Area.

Sponsors: Michael E. Verveer and Scott J. Resnick

Attachments: [Map](#)

This Ordinance was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

Verveer moved and Magnino seconded that the item, including the map, be approved. The motion carried unanimously.

Ayes: 7 -

John N. Magnino; Marlys M. Miller; Sara J. Richards; Liliana Fabela; Sean Lee; Peter J. McElvanna; Teresa Schwerin; Michael E. Verveer and Scott J. Resnick

4. [29766](#)

Amending Sections 9.13(1), 9.13(6)(e)1.b. and c. of the Madison General Ordinances to provide a 14-day grace period for food vendors to license an assistant.

Sponsors: Michael E. Verveer

This Ordinance was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

Miller moved and Fabela seconded that the item be approved. The motion carried unanimously.

Verveer left the meeting at 5:26 p.m.

Ayes: 7 -

John N. Magnino; Marlys M. Miller; Sara J. Richards; Liliana Fabela; Sean Lee; Peter J. McElvanna; Teresa Schwerin; Michael E. Verveer and Scott J. Resnick

REPORTS

[27508](#)

Street Vending Coordinator's Report

Hansen mentioned that Accela online licensing system had reduced the amount of paper associated with licensing and that it speeded the process. He mentioned the growing number of requests for activities involving food carts.

DISCUSSION ITEMS

5. [29961](#) Request from City Parks Dept.: Establish snow day procedures, including snow day policy language in Ordinance 9.13 and/or the Mall/Concourse Regulations. The primary reasoning is to maintain a safe passage on pedestrian thoroughfares during snowy conditions. Amend Relocation of Vendors, 9.13(6)(l)(4) to add the phrase "snow removal", and add a phrase in which the Director of Planning or designee declares a street vending snow day. If a Citywide snow emergency is declared, vendors should not be open that day. On snowy days, consider having Mall/Concourse vendors arrive later and leave earlier (11:30 to 1:30 instead of 11 to 2:30). If a vendor wants to be open during or after snow falls and the Mall Crew has not had an opportunity to plow snow off their assigned site, they must not alter the location of their cart due to the presence of snow but instead must shovel the snow out of their site or otherwise choose to take the day off.

Attachments: [Report-Vending Oversight Comm-Item 5-042413.pdf](#)

Parks Operations Manager Charlie Romines was present. He said that, as of two years ago, many food vendors were staying open during the winter and that this was creating some logistical issues for the Mall Crew with regard to snow removal. The committee agreed that the phrase "snow removal" should be added to 9.13, that vendors would not be allowed to be open for business on snow emergency days, that the Planning Director or designee (the Street Vending Coordinator) could declare a street vending snow day in which procedures might change. In actuality, a Parks Official would make the decision, but the Street Vending Coordinator would communicate it to the vendors. Finally, any vendor whose site was covered with snow upon arrival would be required to shovel the site and not alter the regular positioning of the cart. Resnick would sponsor and Verveer would be asked if he wished to sponsor. Hansen was asked to work with Assistant City Attorney Lara Mainella to develop suitable language. This item would go directly to the Common Council and not return to the VOC.

6. [29962](#) Discussion Item: Request from City Parks Department: Require any sidewalk cafe operator or Merchant Vendor to sweep the sidewalk in front of their storefront if they choose to set up before 10 a.m.

The committee ultimately decided that if any Sidewalk Cafe operator or Merchant Vendor wished to set out their equipment before 9:30 a.m., they should be required to sweep or otherwise maintain the sidewalk in front of their establishment. Resnick would sponsor and Verveer would be asked if he wished to sponsor. The committee asked this this go directly to the Common Council and not return to the VOC. Hansen was asked to work with Mainella to draft appropriate language.

7. [29963](#) Consider the establishment of the Research Park Vending Area.

Hansen said that requests for food carts had been coming to him from Research Park for a year or two. He had met with two Research Park managers and assisted them in establishing a regular Wednesday food cart lunch series that would begin on May 1, 2013 and continue through Labor Day. Six food vendors would participate at the outset. The public streets in Research Park where parking was permitted were currently open to any vendor who wished to do business there. Research Park management felt that they wanted to start this experiment on a small scale and see if there was the potential for more carts on more days of the week. Hansen felt that the establishment of a Research Park Vending Area would allow Research Park to regulate the number of vendors, the days, times, and locations. The committee agreed. Resnick added that Research Park had a captive and well-paid audience for food vendors. Hansen was asked to work with Mainella to develop suitable language.

8. [29964](#) Consider expanding City Zoning regulations to allow food carts and other street vendors to participate at festivals held on private property, such as churches, schools, and other organizations.

Hansen said that, since 2012, he had been receiving requests from various entities to include food carts in their activities. If public property could be used, there was not a problem because all licensed Madison food vendors were licensed to operate on public property. Hansen felt that the time had come to expand Zoning regulations to allow the participation of street vendors on the private property of churches, schools, businesses, etc., with clearly defined parameters. The committee agreed. There was some discussion of which other City agencies, commissions, and boards must also be involved in such a decision. Hansen was asked to work with Mainella to develop a written summary of this possibility.

ANNOUNCEMENTS

There were none.

ADJOURNMENT

Magnino moved and Fabela seconded that the meeting be adjourned. The motion carried. Richards adjourned the meeting at 6:21 p.m.

The next meeting of the Vending Oversight Committee is scheduled for Wednesday, May 29, 2013, at 5 p.m., in room 300 of the Madison Municipal Building.