



# City of Madison

## Meeting Minutes - Final

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

### VENDING OVERSIGHT COMMITTEE

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Sunday, July 29, 2007

5:00 PM

215 Martin Luther King, Jr. Blvd.  
Room 120 (Madison Municipal Building)

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#### 1. CALL TO ORDER

Foxgrover called the meeting to order at 5:13 p.m. with a quorum present.

Pham-Remele arrived at 5:21 p.m. McClendon arrived at 6:01 p.m.

**Present:** Michael E. Verveer, Thuy Pham-Remmele, Karen A. Foxgrover, Rosemary Lee and Matthew C. Rockwell

**Absent:** Hawk Schenkel

**Excused:** Toriana T. Pettaway

#### 2. PUBLIC COMMENT (Three Minutes Per Speaker)

Brad Bailey and Paul Frautschi asked if the VOC could allow a Mall/Concourse food cart that was larger than fifty-six square feet, but only 3.4% too large. They pointed out that the Silky's Two cart (formerly Val's Cookout Express) was larger than that and, years ago, had been granted a site within the Mall/Concourse.

Verveer asked if Ordinance 9.13 allowed the VOC to waive size requirements. It didn't.

Hansen pointed out that the Mall/Concourse Regulations also placed a maximum limit of two carts selling hot dogs or other sausages, and that this cart sold hot dogs. The Silky's Two cart also sold hot dogs and brats. Hansen was asked to add this as a discussion item to a future agenda.

#### 3. APPROVAL OF MINUTES (May 30, 2007)

A motion was made to Approve the Minutes Rockwell moved and Lee seconded that the minutes of May 30, 2007 be approved. The motion passed.

#### 4. NEW BUSINESS ITEMS

4a. 06121 Amending Section 9.13(5) of the Madison General Ordinances to modify regulations for non-Mall/Concourse sidewalk cafe licenses.

**This matter had been covered.**

4b. 06124 Creating Section 9.13(6)(j)2.e.iii. of the Madison General Ordinances to create an exception to the requirement that sidewalk cafes on the Mall/Concourse be located against the curb for restaurants and bars on the north side of the 500, 600 and 700 blocks of University Avenue.

**This matter had been covered.**

4c. [06569](#) Repealing Section 9.13(6)(h)3.d. of the Madison General Ordinances to delete the vending fee exemption for persons sixty years of age or older.

**This matter was RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED)**  
- REPORT OF OFFICER Rockwell moved and Lee seconded that the item be approved. Pham-Remele abstained. The motion passed.

4d. [06629](#) Amending Section 9.12 of the Madison General Ordinances to modify the composition of the Vending Oversight Committee to include non-voting Technical Advisors.

**This matter was RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED)**  
- REPORT OF OFFICER Rockwell said that he found it offensive that the Mayor's Office wanted to abruptly strip him and others on the VOC who had been offered appointments. There was more discussion. The committee concluded that current VOC members should be allowed to complete their current appointment terms and then elect to be reappointed as Technical Advisors at that time.

Mainella was asked to draft an appropriate substitution that would be referred to the next meeting so that the committee could vote on the final language.

Rockwell moved and Verveer seconded that this be the case. The motion passed.

**4e. A Resolution authorizing the adoption of amendments to the "Regulations Governing Vending on the State Street Mall/Capitol Concourse "**

(1) There was discussion focusing on the definition of "locally produced" recorded works and whether any of their components might be made elsewhere. Mainella had provided two language options and the committee chose the second of them.

Rockwell moved and Pham-Remele seconded that the item be recommended. Lee was opposed and McClendon abstained.

(2) Allowing some resin elements in Sidewalk Cafes.  
(3) Allowing strings of battery- or solar-operated lights in Sidewalk Cafes.  
(4) Allowing approved Sidewalk Cafe and Merchant Vendor displays to be temporarily modified for accessibility.

Rockwell moved and Lee seconded that numbers (2), (3) and (4) be recommended. The motion passed by acclamation.

**4f. Street Musicians & Accepting Donations**

Hansen had recommended that the category of people making money on public property, who did so by "accepting donations", be required to purchase licenses equivalent to Street Vendor Licenses. He felt that street musicians and others such as sidewalk chalk artists, who were not selling anything, should continue being exempted. Lee saw no such distinction and felt that all persons in this category should be licensed. Verveer suggested that perhaps an appropriate small step in this direction would be to require those accepting donations to do business a minimum of twenty feet away from licensed vendors. Hansen said that

such a step would make a big difference.

Verveer moved and Lee seconded that this item be tabled.

#### **4g. Generators on Food Carts**

Lee moved and Rockwell seconded that the use of generators be encouraged to food vendors without actually being made into law, but that ordinance language forbidding the use of generators be deleted. The motion passed by acclamation.

#### **4h. Biodegradable Serveware**

The committee agreed that this practice should be encouraged but not made into written law.

#### **4i. Street Vending Coordinator Discretion Re: Sidewalk Cafe Configuration**

The committee agreed that this be allowed. Hansen said that, in his experience, the physical circumstances for all Sidewalk Cafe and Merchant Vendor spaces were different from each other and that he approached them all on a case by case basis.

#### **4j. VOC Election**

The committee agreed to table this item.

### **5. STAFF REPORT**

Verveer asked Hansen for the status quo on the circumstances of Jin's Chicken & Fish. Hansen said that all problems had been corrected to his knowledge and asked Hansen to have Health Sanitation Unit Supervisor Doug Voegeli to bring Verveer up to date on this matter.

### **6. ANNOUNCEMENTS**

Hansen mentioned that an extensive section of the City of Madison website would now be devoted to the various categories of street vending. He added that there would be still more construction coinciding with some street vending activity: The demolition and replacement of all six bus shelters on the outer Capitol Square, as well as the demolition and replacement of the outer Square glitter lights.

### **7. ADJOURNMENT**

Lee moved and McClendon seconded that the meeting be adjourned. The motion passed. Foxgrover adjourned the meeting at 7:12 p.m.

The next meeting of the Vending Oversight Committee is scheduled for Wednesday, August 29, 2007, 5 p.m., Madison Municipal Building, Parks Office Large Conference Room.