



City of Madison

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

Wednesday, April 27, 2011

5:00 PM

215 Martin Luther King, Jr. Blvd.
Room 313 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

Foxgrover called the meeting to order at 5:07 p.m. with a quorum present.

Present: 8 -

Ald. Michael E. Verveer; Ald. Scott J. Resnick; Sara J. Richards; Austin E. McClendon; Teresa Schwerin; Rosemary Lee; Karen A. Foxgrover and Sean Lee

Absent: 1 -

Hawk Schenkel

APPROVAL OF MINUTES

Rosemary Lee moved and Richards seconded that the minutes of the March 30, 2011 meeting be approved. The motion passed.

PUBLIC COMMENT

There was none.

DISCLOSURES AND RECUSALS

There were none.

NEW BUSINESS

3. [21675](#) Amending Section 9.13(2) of the Madison General Ordinances to increase the fees for Special Event Umbrella street vending licenses.

Sponsors: Joseph R. Clausius and Michael E. Verveer

A motion was made by Ald. Verveer, seconded by Richards, to **RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER**. The motion passed by the following vote:

Ayes: 4 -

Ald. Verveer; Ald. Resnick; Richards and Foxgrover

Noes: 1 -

Lee

Non Voting: 1 -

McClendon; Schwerin and Lee

4. [21982](#) Amending Sections 9.13(4)(k) and (l) of the Madison General Ordinances to create a rule that allows vendors to leave the vending site and equipment unattended during lawful vending hours for up to 90 minutes.

Sponsors: Michael E. Verveer

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

5. [21818](#) To SUSPEND the handcrafted goods vending restrictions on May 8, 2011 from 6:00a.m. to 3:00pm during the USA Cycling Collegiate Nationals and authorizing Team Sports, Inc., as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the Capitol Concourse - comprised of the 10 blocks of N. and S. Pinckney, the 10 blocks of N. and S. Carroll St., the 10 blocks of E. and W. Mifflin St. and the 10 blocks of E. and W. Main St.

Sponsors: Michael E. Verveer and Thuy Pham-Remmele

This Resolution was Return to Lead with the Recommendation to Place on File without Prejudice

6. [21819](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on May 14, 2011 during World fair trade day and authorizing SERRV, as sponsor of the special event, to select vendors for the duration of the event at "30 On the Square" (the performance area at the top of State St. adjacent to the Wisconsin Veteran's Museum)

Sponsors: Michael E. Verveer

Rosemary Lee moved and Verveer seconded that items 6 through 31 be approved as one. The motion passed.

7. [21820](#) To SUSPEND the handcrafted goods vending restrictions on May 22, 2011 from 9:00a.m. to 3:00pm during the CAPITAL K-9S CHALLENGE and authorizing City of Madison Police K-9 and Equine Partners, Inc. (aka Capital K9s) as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the following blocks of the Capitol Concourse - the 10 block of S. Pinckney, the 10 blocks of N. and S. Carroll St., the 10 blocks of W. Mifflin St. and the 10 blocks of E. and W. Main St.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval

8. [21821](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE certain Mall/Concourse vending licenses on Sunday, May 29 during MADISON MARATHON and authorizing Madison Festivals Inc., as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St., 10 blocks of N. & S. Carroll and Pinckney and the 100 & 200 blocks of Martin Luther King, Jr. Blvd.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

9. [21822](#) Authorizing Madison Festivals Inc. as sponsor of MADISON MARATHON, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for MADISON MARATHON, on Sunday, May 29 2011 from 6:00a.m to 5:00p.m.within the perimeter of the area involved in the event.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

10. [21823](#) To SUSPEND the handcrafted goods vending restrictions on June 4, 2011 from 8:00am to 5:00pm during CARS ON STATE and authorizing the Greater State Street Business Association, as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the 100-600 blocks of State St and the 200-300 blocks of N. Henry St.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

11. [21824](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on June 4, 2011 during COWS ON THE CONCOURSE and authorizing the Dane County Dairy Promotion Committee, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St. and the 100 & 200 blocks of Martin Luther King, Jr. Blvd.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

12. [21825](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions on June 5, 2011 from 8:00am to 4:00pm during Ride the Drive and authorizing Madison Parks Division, as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the 100 block of Martin Luther King Jr., the 10 blocks of S. Pinckney, E. & W. Main Sts. and N. & S. Carroll.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

13. [21826](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on June 11, 2011 during Safety Saturday and authorizing the Madison Fire Department, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 10 blocks of E. & W. Main St., the 10 block of N. & S. Pinckney and the 100 & 200 blocks of Martin Luther King, Jr. Blvd.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

14. [21827](#) To SUSPEND the handcrafted goods vending restrictions on June 26, 2011 from 8:00a.m. to 9:00pm during TOUR OF AMERICA'S DAIRYLAND and authorizing Team Sports, Inc., as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the Capitol Concourse - comprised of the 10 blocks of N. and S. Pinckney, the 10 blocks of N. and S. Carroll St., the 10 blocks of E. and W. Mifflin St. and the 10 blocks of E. and W. Main St.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

15. [21828](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions on June 29, July 6, 13, 20, 27 and August 3, 2011 (rain dates June 30, July 7, 14, 21, 28 and August 4, 2011) from 3:00 p.m. to 11:59 p.m. during CONCERTS ON THE SQUARE and authorizing the Wisconsin Chamber Orchestra, as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the 10 blocks of E. & W. Main St. and N. & S. Pinckney and the 100 blocks of E. Washington and MLK Jr. Blvd.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

16. [21829](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses from 6:00p.m. July 8 to 9:00p.m. July 10, 2011 in the areas specified below for the benefit of the Madison Museum of Contemporary Art, so that the 53rd Annual ART FAIR ON THE SQUARE may occur.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

17. [21830](#) Authorizing the Madison Museum of Contemporary Art, as sponsor of the 53rd Annual ART FAIR ON THE SQUARE, EXCLUSIVE RIGHTS to select vendors, salespersons, vending sites and performers for the duration of this special event, 6:00p.m. July 8 to 9:00p.m. July 10, 2011, within the perimeter of the area, defined in the companion resolution, involved in the event.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

18. [21831](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE certain Mall/Concourse vending licenses from 6:00p.m. July 8 to 9:00p.m. July 10, 2011 on the 200 block of Martin Luther King, Jr. Blvd. for the benefit of WI Alliance of Artists & Craftspeople, so that ART FAIR OFF THE SQUARE may occur.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

19. [21832](#) Authorizing the WI Alliance of Artists and Craftspeople, as sponsor of the ART FAIR OFF THE SQUARE, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the ART FAIR OFF THE SQUARE, from 6:00p.m. July 8 to 9:00p.m. July 10, 2011 on the 200 block of Martin Luther King Jr. Blvd.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

20. [21833](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses on July 15, 16 and 17, 2011 in the areas specified below for the benefit of the Greater State St. Business Association (GSSBA), so that MAXWELL ST. DAYS may occur.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

21. [21834](#) Authorizing the Greater State Street Business Association (GSSBA), as sponsor of MAXWELL ST. DAYS, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of MAXWELL ST. DAYS, July 15, 16 and 17, 2011 within the perimeter of the area involved in the event.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

22. [21835](#) To SUSPEND the handcrafted goods vending restrictions on Sunday, July 31, 2011 from 8:00a.m. to 2:00p.m. during THE 1000 MILE JOURNEY and authorizing The Rainbird Foundation, as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the Capitol Concourse - comprised of the 10 blocks of N. and S. Pinckney, the 10 blocks of N. and S. Carroll St., the 10 blocks of E. and W. Mifflin St. and the 10 blocks of E. and W. Main St.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

23. [21836](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on August 13, 2011 during India day and authorizing the Association of Indians in America, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 200 block of Martin Luther King, Jr. Blvd.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

24. [21837](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions on August 10, 17, 24, 31 and September 7, 2011 during the Jazz @ 5 concert series and authorizing Jazz @ 5 Inc., as sponsor of the special event, to select vendors, vending sites and performers within the 100 block of State St. for the duration of the special event.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

25. [21838](#) To SUSPEND the handcrafted goods vending restrictions on August 20, 2011 from 8:00am to 5:00pm during MOTORCYCLES ON STATE and authorizing the Greater State Street Business Association, as sponsor of the special event, to select vendors and vending sites for the duration of this special event on the 100-600 blocks of State St and the 200-300 blocks of N. Henry St.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

26. [21839](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE certain Mall/Concourse vending licenses from 6:00p.m. September 2nd to 11:59 p.m. on September 4th, 2011 in the areas specified below for the benefit of Madison Festivals Inc., so that TASTE OF MADISON may occur.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

27. [21840](#) Authorizing Madison Festivals Inc. as sponsor of TASTE OF MADISON, EXCLUSIVE rights to select vendors, salespersons, vending sites and performers for the duration of the TASTE OF MADISON, from 6:00p.m. September 2 to 11:59 p.m. on September 4, 2011, within the perimeter of the area involved in the event.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

28. [21841](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions September 7-11, 2011 during IRONMAN WI Expo and authorizing the Ford Ironman Wisconsin, as sponsor of the special event, to select vendors, vending sites and performers for the duration of the event on the 200 block of Martin Luther King, Jr. Blvd.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

29. [21842](#) To SUSPEND the handcrafted goods and personally prepared food vending restrictions Saturday, September 17, 2011 during the Food for Thought Festival and authorizing the Dane County REAP Food Group, as sponsor of the event, to select vendors, vending sites and performers for the duration of the event on the 100 and 200 blocks of Martin Luther King, Jr. Blvd.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

30. [21843](#) To SUSPEND the handcrafted goods, personally prepared food vending restrictions and INVALIDATE Mall/Concourse vending licenses from 6:00p.m. October 29 to 3:00a.m. October 30, 2011 in the areas specified in the Street Use Permit Frank Productions, Inc. will obtain for Freakfest 2011.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

31. [21844](#) Authorizing Frank Productions, Inc., as organizing group for FREAKFEST 2011, EXCLUSIVE RIGHTS to select vendors, salespersons, vending sites and performers for the duration of this special event, 6:00pm October 29 to 3:00a.m. October 30, 2011, within the perimeter of the area, defined in the Street Use Permit for the event.

Sponsors: Michael E. Verveer

This Resolution was Return to Lead with the Recommendation for Approval to the STREET USE STAFF COMMISSION.

REPORTS

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

Hansen gave a verbal summary of his report.

DISCUSSION ITEMS

32. **DISCUSSION ITEM: Football Game Day Vending Area and High Density Vending Area**

Hansen said that, before any language pertaining to this new vending area was finalized, he wanted to have his assistant Eric confirm that sites shown on the map matched the physical reality of the area. The committee agreed to look at the finished product, both map and language, at the May meeting.

33. **DISCUSSION ITEM: Language for 4 components for mall/concourse vendors and continued discussion of seniority issues.**

Hansen gave a brief overview of the meeting that had taken place on Thursday, April 14, 2011 with VOC Chair Foxgrover, himself, and the two spray paint artists Andy Watkins and Travis Knapp. The meeting had lasted about an hour. He said that he had communicated with the two artists and let them know that VOC discussion of this item would be on-going, and that they might want to attend a future VOC meeting. Hansen read the list of six discussion items that had been created during the meeting, including:

1. Creating a Mall/Concourse Arts & Crafts vending sub-set called "Spray Paint Performance Artists" who would pay the same fees as other Arts & Crafts vendors, be required to have a Wisconsin Tax Number and General Liability Insurance naming the City of Madison as Additional Insured. There would be a maximum of two such vendors, with a waiting list for others who wished to become so licensed. Hansen added that this group could be included in the category of currently unlicensed persons who accepted donations.
2. Two specific locations would be dedicated to these artists, with the usual maximum size of 10 feet by twelve feet. They would maintain a two-foot distance from the edge of the curb.
3. A covered table would be required within the space under which supplies could be stored.
4. Some kind of consistent means of crowd control would have to be established.
5. The space would have to be clearly defined, for safety reasons as well as to allow for the flow of pedestrian traffic.
6. Artists would be able to charge fixed prices or negotiate prices with prospective buyers.

Verveer, who had left the meeting, had said that he had brought this situation up to the BID Board and to the Greater State Street Business Association, which had mixed views. There was concern about the obstruction of sidewalks and they suggested two other locations: Peace Park and 30 on the Square.

Schwerin was opposed and felt that spray paint performance art should be banned altogether. She said that it was physically irritating and potentially damaging to the surface of vehicles and vendor merchandise. She likened the spray paint to the ban on cigarette smoking which had been established to protect public health. She also disagreed that 30 on the Square was a suitable location. She wondered if they could change to other media like liquid paint or chalk.

Foxgrover mentioned her extreme reaction to airborne spray paint. Various other potential locations were mentioned by the committee. How to maintain crowd control was also discussed.

Hansen said that some committee members had expressed opposition to the spray painting in the past and that he felt they had reached the level of looking for solutions.

Sean Lee arrived at this point in the meeting and discussion was interrupted by

introductions of those present to the new alder Scott Resnick, who had replaced former alder Thuy Pham-Remmele as a voting VOC member.

Returning to the spray paint discussion, Richards mentioned that the two artists had attended the March VOC meeting and had expressed good faith in being willing to adjust their methods if allowed to continue as performance artists. Foxgrover agreed. Rosemary Lee and Schwerin felt that problems associated with spray paint performance art should either be fixed or have the practice banned. It was agreed that the artists should be invited to another VOC meeting.

34. **DISCUSSION ITEM: Consider giving spray paint performance art official Mall/Concourse Arts & Crafts Vendor status and any modifications to the process and locations that would accompany that status.**

Hansen said that he was uncertain of whether the final language for this item had been drafted by Assistant City Attorney Lara Mainella and that he would inquire about it. The committee agreed to consider such language at the next VOC meeting.

35. **DISCUSSION ITEM: Activities Involving the Placement of Objects onto Public Property**

Hansen said that, now that Verveer was open to considering the regulation of street musicians and others who accepted donations or placed things onto public property, the time had come for the VOC to seriously focus on making it a comprehensive reality.

ANNOUNCEMENTS

Rosemary Lee mentioned that the Mifflin St. block party was scheduled for Saturday, April 30th and that she would be volunteering. Resnick said that he would be running in the Crazy Legs Run, also that day.

ADJOURNMENT

Rosemary Lee moved and Richards seconded that the meeting be adjourned. The motion passed. Foxgrover adjourned the meeting at 6:09 p.m.

The next meeting of the Vending Oversight Committee is scheduled for Wednesday, May 25, 2011 at 5 p.m., conference room 313, Madison Municipal Building, 215 Martin Luther King Jr. Blvd.