



# City of Madison Meeting Minutes - Final

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

## VENDING OVERSIGHT COMMITTEE

---

Wednesday, January 31, 2007

5:00 PM

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

---

### 1 CALL TO ORDER

Foxgrover called the meeting to order at 5:02 p.m. with a quorum present.  
McClendon arrived at 5:10 p.m. Verveer arrived at 5:18 and left at 5:35 p.m.

**Present:** Michael E. Verveer, Hawk Schenkel, Karen A. Foxgrover, Viet Q. Hoang, Austin E. McClendon, Rosemary Lee and Matthew C. Rockwell

**Excused:** Cynthia M. Thomas

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

There was none.

### 3 APPROVAL OF MINUTES (of September 27, 2006)

A motion was made by McClendon, seconded by Schenkel, to Approve the Minutes. The motion passed by acclamation.

### 4 NEW BUSINESS ITEMS

#### 4a [05269](#)

Report of the Vending Oversight Committee dated December 15, 2006 re: amendment to Section 9.13 of the Madison General Ordinances.

This matter was Approve Hansen had presented a report evaluating the lack of impact of this temporary law repeal. Sidewalk cafe patrons had, for several months, been allowed to carry their own alcoholic drinks from the restaurant to the sidewalk cafe. The repeal had been conducted without incident. Schenkel moved and Lee seconded that the report be forwarded to the appropriate legislative bodies. The motion passed.

#### 4b **Action Item: Langdon Street High Density Vendors Must Be in Their Sites by 1 p.m. Daily or Another Langdon Street High Density Vendor May Use the Unoccupied Site That Day**

The committee agreed that this item was self-explanatory. Schenkel moved and McClendon seconded that the item be recommended. The motion passed.

#### 4c **Action Item: Making Days of King Street Area Merchant Vending Correspond with Days Available to State Street Vendors**

The committee agreed to recommend this change. Scenkel moved and Rockwell seconded that the item be recommended. The motion passed.

**4d Discussion: Placing Merchant Vendors on Equal Plane with Sidewalk Cafes with Regard to Exclusive Use Events**

Hansen said that there was a tradition that sidewalk cafes remain open under all circumstances, even during special events that were granted Exclusive Use. Other types of regular vending - Food, Crafts and Merchant Vending - were not allowed to operate as usual. Hansen said that the few Merchant vendors near the Capitol Square who were not allowed to display merchandise on public property as usual would ask him why sidewalk cafes were permitted to conduct business as usual. Hansen felt that he did not have a good answer for that. There was some discussion about whether this concession to sidewalk cafes was consistent.

Lamberty said that the only change she would support would be to allow no regular vendors to be present within Exclusive Use perimeters, including sidewalk cafes. Lamberty explained that all vendors mentioned above were sent information about forthcoming special event constraints and that all, including Merchant Vendors, were able to speak their minds at a public hearing. Hansen accepted this as an answer for discontented Merchant Vendors.

**4e Discussion: Citywide Sidewalk Cafe Parameters as Recommended by the VOC**

Rockwell felt that sidewalk cafe placement and approval should be left to the judgement of the Street Vending Coordinator. Verveer reminded those present that he may have initiated discussion of Citywide sidewalk cafe parameters by suggesting that the Churchkey's sidewalk cafe be positioned against the building on its University Ave. block. Foxgrover wondered if sidewalk cafe placement should not be considered on a case by case basis.

Verveer returned to his point that the Churchkey's preference was to be placed against the building. Schenkel felt that it was a mistake to generalize when a building could be demolished and change the physical circumstances. Lee recommended to keep things as simple as possible. Rockwell said that if the 600 block of University were different from other sidewalk cafes, it might be difficult to train people to walk near the curb. Lee offered a statement designed to generalize that it would become the norm to have Citywide cafes against the building wherever possible. Schenkel said that there were already exceptions to sidewalk cafe placement.

Foxgrover felt that the laws could not easily go Citywide. Rockwell and Hansen agreed that they already were Citywide, that there were two exceptional areas, MLK and the outer Capitol Square, and then the rest of the city. There seemed to be a growing consensus that the committee was favoring the placement of sidewalk cafes against the building wherever possible.

Rockwell suggested that the 600 block be given an exception. Hansen suggested that the 500, 600, and 700 blocks of the north side of University avenue be considered as a group. He was opposed to giving sidewalk cafe operators a choice about where they would place their sidewalk cafes.

Schenkel moved and Lee seconded that sidewalk cafes on the 500, 600, and 700 blocks of the north side of University Ave. be placed against the building and that Mainella would draft appropriate language to be presented to the VOC at its next

meeting. The motion passed.

Mainella suggested that, at the next meeting, the committee focus on finalizing sidewalk cafe rules for the rest of the city.

**4f Discussion: Specifics Regarding Location of Two Senior Craft Vending Sites (Regs., page three, c) and the Statement That Fees Will Be Waived for Craft Vendors who Are 60 Years or Older (9.13, page 12, top of page, d.).**

Hansen explained that there had long been a reference in the Mall/Concourse Vending Regulations to two senior craft vendor sites, but that such sites had never been specifically identified. Hansen said that a new aspiring applicant, who was over sixty years of age, had recently inquired about them. Hansen offered to designate two such sites to be considered at a future VOC meeting, adding that there seemed no reason to make them Saturday sites on the outer Capitol Square during Farmers Market season.

Hansen also pointed out that Ordinance 9.13 contained the statement that Mall/Concourse Craft Vendor fees were to be waived for applicants sixty years of age or older. None present expressed any support for this loss of potential City revenue. Hansen offered to add these two issues as agenda action items for the next VOC meeting.

**4g Discussion and Possible Action Item: Comprehensive revision/deletion of the "glitter lights" or "sparkle lights" in Ordinance 9.13 and Mall/Concourse Regulations which once defined the distance from buildings of vending and sidewalk cafe placement.**

Lee moved and Rockwell seconded that the VOC give Mainella and Hansen carte blanche to revise or delete any remaining references to "glitter lights" or "sparkle lights" in Ordinance 9.13 or the Mall/Concourse Vending Regulations. The motion passed.

**5 ANNOUNCEMENTS**

There were none.

**6 ADJOURNMENT**

A motion was made by Schenkel, seconded by Rockwell, to Adjourn Foxgrover adjourned the meeting at 6:10 p.m.

The next Vending Oversight Committee meeting is scheduled for Wednesday, March 28, 2007, 5 p.m., in the Madison Municipal Building, Parks Office Large Conference Room, Room 120, 215 Martin Luther King, Jr. Blvd., Madison, WI. The motion passed. The motion passed by acclamation.