



# City of Madison

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

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Wednesday, February 27, 2013

5:00 PM

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

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### CALL TO ORDER / ROLL CALL

Richards called the meeting to order at 5:03 p.m. with a quorum present.

**Present:** 9 -

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

**Absent:** 1 -

Sean Lee

### APPROVAL OF MINUTES

Resnick moved and Miller seconded to approve the minutes. The motion carried.

### PUBLIC COMMENT

1. Food vendor Steven Lawrence had brought a chart of locations he felt would work for Late Night Vending. Hansen said that neither he nor the committee had seen the chart before the meeting, so Lawrence left it with Hansen.

2. Mary Carbine of the Business Improvement District recommended that things be brought back into balance on Broom Street with regard to the ratio of Late Night Vending food carts to nearby brick and mortar restaurants.

### DISCLOSURES AND RECUSALS

There were none.

### NEW BUSINESS

1      [27708](#)      Election of Chairperson and Vice-Chairperson

Richards moved and Verveer seconded that Marlys Miller be elected Vice Chair. The motion passed.

- 2      [28149](#)      ACTION ITEM: 2012 Food Cart Review Results and Format of Review, including rank-ordered list, duration, consideration of throwing out high and low scores, and consideration of "green" points.

**Attachments:**      [Fall Food Cart Review.pdf](#)  
   [rank.pdf](#)

Hansen explained that the numbers of current and first-time Mall/Concourse Food Vendor applicants had grown to the extent that one week was no longer adequate for the volunteer food cart panelists to devote enough time to each cart. Verveer asked if the Saturday vendors would be divided between the two Saturdays. Hansen replied that they would. Verveer said that he and Resnick would sponsor and that this recommendation could go directly to the Common Council.

- 3      [27710](#)      ACTION ITEM: Consider grace period for licensing new food cart employees as City of Madison Street Vendors

**Attachments:**      [14-day grace period.pdf](#)

Hansen explained that it seemed fair to allow each food vendor a two-week period to test the appropriateness of new hires before requiring them to purchase a license. Verveer said that this could also be referred directly to the Common Council, with Verveer and Resnick sponsoring.

## REPORTS

### Verbal Report by Street Vending Coordinator

Although Hansen had not generated a report for the previous month, Verveer asked if he wanted to give a verbal one. Hansen said that the small Wednesday evening Atwood group would continue and also start a west side evening on Midvale Blvd. There were developing opportunities for day time food vendors. The Meet N Eat event would continue and, he thought, multiply. Hansen had helped Oscar Mayer set up two events on public property. Research Park had been asking for food vendors and Hansen was working with them to do so. He would also give two local PowerPoint presentations on the Madison style of street vending. Resnick asked Hansen if he liked the Accela online licensing program. Hansen said that he did. Schwerin said that she had experienced some glitches with it.

## DISCUSSION ITEMS

- 4      [25136](#)      DISCUSSION ITEM: Sidewalk Cafe Alcohol Management and Sidewalk Cafe Closing Times

Attachments:      [Ord12608 to eliminate sidewalk cafe restaurant class.pdf](#)

Richards asked Verveer to provide a history of the management of alcohol at sidewalk cafes and of sidewalk cafe closing times. Verveer explained that there were two sidewalk cafe closing times depending on location and this was confusing. At a recent meeting of City staff (Verveer, Hansen, Police Captain Gloede, and Assistant City Attorney Lara Mainella), it had been decided to have one Citywide time to have alcohol off the table, 1 a.m., and that sidewalk cafe furniture would not have to be taken indoors until thirty minutes after an establishment's closing time.

5 [28583](#)**DISCUSSION ITEM: Late Night Vending Status Quo and possible recommendations for change****Attachments:** [meters.pdf](#)

Richards summarized the previous VOC discussions of this topic, saying that other stake holders had spoken, that the unresolved issue was whether to severely limit the number of Broom Street food carts or to expand the number of Late Night locations, and how to decide who can be there, perhaps by seniority or lottery. She invited committee members to suggest a working solution. Hansen recalled that Rich Schefflow of Silvermine would prefer to have zero food vendors on Broom Street but Hansen felt that this would be going too far and that a compromise was in order. Fabela said that there must be a solution which could work for all concerned.

Cortney Palm of Pita Pit said that she would want food carts not to park right in front of her door, or in front of Silvermine or Asian Kitchen. She said that the Library Mall was two blocks away. On behalf of the new VOC members, she revisited related past discussion items, such as that she had signed a ten-year lease, that on UW football games days there might be four to six carts on Broom Street, that there were other places in the city where vendors could go, that potential customers have to walk by the carts to get to her restaurant, that there used to be just one cart.

Mary Carbine said that there had been problems with trash, noise, and noted that the Street Vending Monitor could not view Broom Street every night. There was the matter of vendors circling and waiting for a parking space, that restaurants paid much higher investments. Richards added that food cart patrons would use restaurant rest rooms and throw trash into restaurant dumpsters.

Hansen said that for years there had been two food vendors on Broom Street and that in 2012 the number of vendors had suddenly swelled. Carbine added that, unlike most Madison vending areas which had specific site assignments, the number of carts on Broom Street had become unpredictable. Hansen referred to the early days of late night food vending on Langdon Street, where there had been noise, refuse, fist fights, arrests, and police presence. Another form of late night then included N. Frances Street, which contained entrances to the largest parking ramp in the city. This had caused congestion, traffic jams, complaints from parking ramp staff, from a hair salon and the management of the Elinor Building. Neither the Campus Inn nor State Street Brats wanted the presence of the larger stand-inside carts. North Frances Street had then become restricted to two push-carts and this had continued to the present. Hansen said that choosing carts by seniority would give two carts a Broom Street monopoly for as long as they chose to be there. He thought that a quarterly lottery might be more fair, giving an opportunity to as many as eight vendors, and acknowledged that, weather-wise, some quarters would be better than others. Lawrence was opposed to a lottery.

Richards reminded those present that, because of Wisconsin state law, it was impossible to make regular site assignments in metered parking spaces. Verveer asked Palm if she could live with some food carts as long as they did

not park in front of her restaurant. There was mention of Gilman Street between State Street and Amy's Cafe. Richards asked Hansen if he could go to Broom Street and take some measurements, assess the numbers and locations of metered sites. There might be future requirements based on distance, with some metered spaces acceptable and some not. Hansen said that that would naturally limit the number of vendors. Schwerin said that this might encourage earlier competition for the acceptable sites. Richards said that she did not like the idea of setting a specific minimum distance from a restaurant. Hansen recalled that Assistant City Attorney Mainella had recently said that it was premature to consider allowing vendors to use Broom Street based on either seniority or lottery, and that he would mention the acceptable/not acceptable parking space concept to her. The discussion would continue.

- 6      [29211](#)      DISCUSSION ITEM: If a vendor is given a site assignment and does not use it within sixty days, it may become subject to reassignment to another vendor.

Hansen explained that the occasional food vendor was assigned a site and then failed to use it. He felt that there should be a sixty-day limit. If the site had not been occupied by that time, the Street Vending Coordinator might assign it to another vendor, depending on the circumstances. Hansen said that he would ask Assistant City Attorney Lara Mainella to prepare suitable language revision in ordinance 9.13 and the Regulations.

## ANNOUNCEMENTS

There were none.

## ADJOURNMENT

A motion was made by Resnick, seconded by Magnino, to Adjourn. The motion passed by voice vote/other. Richards adjourned the meeting at 6:58 p.m.

The next meeting of the Vending Oversight Committee is scheduled for Wednesday, March 27, 2013, at 5 p.m. in room 300 of the Madison Municipal Building, 215 Martin Luther King, Jr. Blvd.