

Item 24-0216: Approve the proposed modification to the Central Business District Street Vendors Ordinance

Municipal Services Committee

Mon, Mar 25, 2024

Aldersperson Katie Van Zeeland (District 5) 01:13

We have no public hearings or appearances this evening. We'll start with action item 24-0216 to approve the proposed modification to the central business district street vendors ordinance. Before we take a motion, I'm actually gonna turn this over to Director Block because I think that's going to influence our decision here. Director Block.

Director Danielle Block (Department Of Public Works) 01:38

Thank you, Chair. I wanted to take the time to give the committee an update since our last committee meeting. Upon further analysis of existing ordinance language, review of parking restrictions within the CBD, existing licenses that are issued and the number available, and input from the community members, staff is comfortable with no modifications to the existing ordinance language at this time.

Director Danielle Block (Department Of Public Works) 02:08

We plan to enforce the existing ordinances related to street and sidewalk vendors. This coupled with enhancements to the lighting which had been discussed at this committee and will be discussed later at finance will assist with our downtown atmosphere. DPW also plans on providing quick tips and reminders to vendors when they are taking out their licenses or talking to DPW about their licenses as an educational piece to improve the understanding and adherence to city ordinances at the time they're considering a license.

Director Danielle Block (Department Of Public Works) 02:41

Staff will also be diligent in monitoring the conditions of the downtown and will not hesitate to bring future recommendations related to hours or operations for this committee for consideration. So if there's no objection, staff would be favorable to withdraw this item.

Aldersperson Katie Van Zeeland (District 5) 03:04

Would anyone like to ask any questions or discussion before we take up a motion on the item?

Aldersperson Vered Meltzer (District 2) 03:11

I have no questions or discussion but just a comment that I'm very happy to hear this.

Aldersperson Katie Van Zeeland (District 5) 03:17

Anyone else? Alder Doran.

Aldersperson Chad Doran (District 15) 03:19

Thank you. I think we probably all agree this is a good idea to withdraw this, but just maybe a little clarification from, I guess, how we got to this point versus where we started here when this first came forward and what really drove I guess staff's decision then to ask for this to be withdrawn at this point. I know you mentioned, obviously, you know, feedback and things like that, but you can just kind of talk through that a little bit.

Director Danielle Block (Department Of Public Works) 03:53

Sure. There are several provisions within the existing ordinance language related to orderly flow of pedestrian traffic and the lines. There's language related to where the street vendors can park during what hours. Specifically after 9pm it's only College Avenue in the central business district, Drew up to Richmond. We also took a look at where food establishments are already selling food. They can't overlap with sidewalk cafes; they can't overlap with sidewalk vendors. So there's a lot of layers to the ordinance, and we think that providing an educational piece on better operations and adherence to the existing ordinances will go a long ways.

Alderpersion Katie Van Zeeland (District 5) 04:42

Does that answer your question, Alder Doran?

Alderpersion Chad Doran (District 15) 04:43

Yeah, can I just one follow up?

Alderpersion Katie Van Zeeland (District 5) 04:44

Sure.

Alderpersion Chad Doran (District 15) 04:45

For Chief Olson I guess, since she's here. I guess I assume, Chief, you're comfortable with this as well. I know you spoke about this the last committee meeting around, and just I want to make sure we get a handle on it. It was just, in my mind, a little confusing. The initial sort of rollout of this came from the mayor's office via email to Council and to the public in a press release. You sort of took—sort of took the lead from there, chief, and now Director Block. And I know everybody has a piece of this, but I just wanna make sure, you know, from in totality, I guess, staff is all on the same page?

Police Chief Polly Olson 05:22

Yeah, I appreciate the question. And quite frankly, the goal in this, when this was brought forward, was to look at strategies for increasing safety downtown. And the PD in particular is sensitive to, as I mentioned in previous meetings, just some of the congestion that's caused in certain areas, especially at bar close, and those seem to be associated with the food trucks.

Police Chief Polly Olson 05:46

As I mentioned previously, some of this could be solved simply by having more food trucks out there, and available in different locations to spread some of that congestion out. And some of it's dependent on where it's located. So we know in the 400 and 500 blocks of West College Avenue where we have our ride rideshare pickup already, having a food truck parked adjacent on a side street is causing issues. And it was missed, quite frankly, in looking at the ordinance that piece about having to be off of those side streets and on College Avenue after nine o'clock. We just didn't see it the first time—the first several times we kind of scoured the ordinance. So that was oversight on staff's part.

Police Chief Polly Olson 06:30

However, when Director Block and I discussed it further and that was brought to my attention, we agreed that the current ordinance really does, hopefully, address some of the concerns we have at PD, in that the food trucks will find space that will be away from the rideshare pickup area and hopefully in places where people are still going to congregate, but hopefully not necessarily all in one area. And hopefully that'll address some of the safety concerns we have down there. But we do reserve the right, you know, come mid-summer end of summer, if we're not seeing a marked improvement down there to start looking at, you know, what other solutions really could be feasible.

Aldersperson Chad Doran (District 15) 07:13

Okay, thank you.

Aldersperson Katie Van Zeeland (District 5) 07:15

Any other questions, comments? Attorney Behrens—I was actually just going to ask you, Attorney Behrens, how—what the difference would be with withdrawing this versus just simply denying it if—or procedurally how we would withdraw it.

Attorney Christopher Behrens 07:31

If it's denied, there's a bit of a time bar when action could be taken again. Now that—it's a short window because we have a new Council started; however, you could treat this similar to the rule that was adopted last time around where resolutions can be withdrawn provided there's no action that's been taken on them. And similar to this, there's—other than the matter just being held for a couple of meetings—there have been no amendments or modifications to it. So I think you could, within your rules, allow staff to withdraw this without taking formal action. That would allow a little more flexibility too if circumstances change and staff wants to bring a recommendation back too. Although granted, there's—

Aldersperson Katie Van Zeeland (District 5) 08:16

I was just gonna say so, just to be clear, it's the next Council year, which would start in a couple of weeks. Correct? Like that's—the rule is for the next Council year. So after the next Council is seated?

Attorney Christopher Behrens 08:28

Correct.

Aldersperson Katie Van Zeeland (District 5) 08:29

Okay.

Attorney Christopher Behrens 08:29

Yeah. So we're talking a couple of weeks. But the recommendation would be to follow that other rule that applies to resolutions and just allow for its withdrawal at this point in time, again, unless there's an objection on the committee to do that.

Aldersperson Katie Van Zeeland (District 5) 08:45

So would a vote need to be taken to withdraw or would...

Attorney Christopher Behrens 08:48

No, I think you could just—

Aldersperson Katie Van Zeeland (District 5) 08:49

Hearing no objection?

Attorney Christopher Behrens 08:50

You could ask the committee members if anybody objects to allowing staff to withdraw, and if no one objects it's considered withdrawn.

Aldersperson Katie Van Zeeland (District 5) 08:58

Does anyone object to a withdrawal of this resolution? Anyone on the committee? Alder Doran?

Aldersperson Chad Doran (District 15) 09:03

Just a question for clarification, and then Attorney Behrens was the—wasn't the rule that we have like say if this was a resolution once it's before a committee and has had action taken on it, we can't withdraw it anymore? Would that apply the same here as well?

Attorney Christopher Behrens 09:19

As I explained the—this has not been amended at all. It's simply been held.

Aldersperson Chad Doran (District 15) 09:23

Okay. So just because it's been held, we can it can still be withdrawn.

Attorney Christopher Behrens 09:27

And it's not a resolution. So that rule doesn't directly apply, but yes.

Aldersperson Chad Doran (District 15) 09:31

Okay. Thank you.

Aldersperson Katie Van Zeeland (District 5) 09:34

So is there any objection for members of the committee to withdraw this resolution? Hearing none, the with, the res—the ordinance, I should say, suggestion is withdrawn.