

**MINUTES  
MOBILE FOOD UNIT STAKEHOLDER GROUP  
11-6-07**

**Stakeholders In Attendance:**

Kevin T. Connors	Sharon Johnson	Pedro Pozos	Evelyn Campbell
Connie Redice	John Johnson	Craig Harmon	

**Staff In Attendance:**

Katrina Young, Planning Dept.	Sandra Montgomery, Planning Dept.	Donna Burgess, CMPD
Sonda Kennedy, Planning Dept.	Charles Witherspoon, CMPD	Bill Hardister Health Dept. Mecklenburg County

***I. Welcome***

Katrina Young, the facilitator for the stakeholder group, welcomed everyone to the meeting, which began at 6:07 p.m. The stakeholders and staff introduced themselves.

***II. Recap from October 9, 2007 Meeting***

Ms. Young summarized the information from the last meeting. The stakeholders agreed through consensus that it would agreeable to modify the length of a mobile food vendor service permit from 5 days to 30 days, with the ability to review the permit twice, for a total of 90 days.

***III. Discuss proposed text amendment***

Ms. Young reviewed the draft text amendment provided to stakeholders. First, the definition was reviewed and modified so that it was clear that a mobile food vendor service could operate from a trailer connected to a moveable vehicle. The agreed upon definition would be:

A service establishment operated from a licensed and moveable vehicle, with or without, an attached trailer (also licensed), that vends or sells food and/or drink processes or prepared on-site to walk-up customers.

Each proposed mobile food vendor requirement under Section 12.510, “Mobile Food Vending Service”, (handout) was reviewed by Ms. Young. Items (1), (2), (5), (6), (8), (9), (11), (12) (13) and (14) were agreeable with the stakeholders. The following comments/concerns were raised for the remaining items:

- (3) Check this requirement with the City Attorney to see if it is permissible for a lessee to grant permission for a mobile food vendor to operate on their property, or if it has to be the property owner? Would it be acceptable language to allow the property owner or designated agent(s) to grant permission? Does it matter how the lease contract is written? It can be very difficult to receive property owner permission when the property is owned by a large corporation, or is in an estate, etc.
- (4) There was discussion that if a mobile food vendor was issued a notice of violation that the vendor should not be allowed to operate in the **City anymore/from that location/for ever?** A consensus agreement was reached (9:1 with one abstaining from voting).
- (7) Some stakeholders wanted to extend the hours to later during the week (10:00 pm) and to midnight or later on weekends. Donna Burgess and Charles Witherspoon expressed much concern about the impact on nearby residents, especially those with small children trying to sleep at night. Robberies of the vendors, who deal in cash, is a growing concern. Other impacts such as customers loitering on the site, and trash concern residents. While the vendors desire longer hours, Ms. Young noted that staff was agreeable to allowing the vendors to operate longer on a site (up from 60 days to 90 days), and that with the police and neighborhood concerns, she recommended the stakeholders look at taking “baby steps” with these recommendations. Once a track record of safety can be established by vendors, then the City Council may be more agreeable to relaxing the regulations further.

Ms. Young noted that separation distances to residential use or district is also recommended. Stakeholders had stated a separation distance of 250-1500’ could be considered. Ms. Young reviewed the separation distances for other uses, and suggested a separation distance of 400’, for consistency, since that is the distance bars and nightclubs must maintain from residential uses/districts. The stakeholders agreed upon 400’.

Discussion continued on hours of operation, with the vendors desiring longer operating hours. Ms. Young noted that although the text amendment will not adjust the operating hours for the safety concerns voiced by the Police Department, and by neighbors, stakeholders can submit a minority report to the City Council stating individual recommendations and reasons.

#### **IV. Recommendations**

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## V. *Adjourn*

The meeting was adjourned at 7:50 pm.

Vendors should receive a 6month permit

Clientele won’t follow a vendor.

MFU’s outside of the I-277 loop is difficult

Extend hours beyond 9 pm.

Ms. Young explained that the police, who were not at this meeting were concerned about extending the hours because of safety concerns (robberies of vendors with cash), loitering nearby that created other secondary problems, and affects on nearby residential neighborhoods.

**VI. *Introduce Resolution Ideas***

Ms. Young discussed the following possible resolution:

The permit could be modified to be good for 30 days and renewable twice, up to a total of 90 days. New paperwork would not be needed to renew the permit. The Health Department permit is valid until it is revoked or suspended for the operator to operate. The permit is valid anywhere in North Carolina. The Health Dept. inspects once a year. Therefore, the MFU permit does not conflict with the Health Department permit.

The stakeholders voted and there was a consensus that it would agreeable to modify the length of a permit from 5 days to 30 days, with the ability to review the permit twice, for a total of 90 days.

Due to time, the additional resolutions will be discussed at the next meeting.

**VII. *Adjourn***

Ms. Young adjourned the meeting at 8:00 p.m.