

## **Public Market Advisory Commission**

Tuesday, May 4, 5:30 pm  
Fourth Floor Board Room  
Ann Arbor District Library  
343 S. Fifth Ave

### **Meeting Agenda**

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Special Presentations
5. Public Commentary – Agenda items only (3 minutes per speaker)
6. Approval of Minutes
  - a. Meeting of April 6, 2010
7. Commission Business
  - a. Old Business
  - b. New Business
    - (1) New Vendor Discussion
    - (2) Event Planning
8. Reports and Communications
  - a. Market Manager
  - b. Related Boards, Commissions, Committees, and Task Forces
- c. Items from Commissioners
- d. Transmittals/communications received
9. Public Commentary – General (3 minutes per speaker)
10. Adjournment

***Note: In response to pending City Hall/Courts and Police construction, Market Commission meetings have been relocated to the 4th floor Board Room of the Ann Arbor District Library, and will occur on the first Tuesday of each month, at 5:30 pm. PMAC meetings will be rebroadcast on CTN at 10:00 AM on Thursday, 5:30 PM on Friday, and 3:00 PM on Saturday.***



43 2011 includes the budget we estimated last year at this time, and the changes we may  
44 have made this year.

45  
46 D. Black: I feel like we don't have enough time to examine the budget, similarly to last  
47 year.

48  
49 J. Straw: The budget was officially sent to City Council yesterday, so we do not go to  
50 any boards or commissions before that time.

51  
52 Page 2 shows administrative costs, broken out. There is a slight difference in the  
53 Administrative Overhead column, because we internally made a shift in how we are  
54 structured, so the Parks & Recreation Manager is now working more directly with Molly.  
55 Page 3 are all fixed costs, that are predetermined by our Finance department. The next  
56 line is mostly personnel costs-salaries. The remainder of the page is temporary time. On  
57 page 4 there are some savings, as some of our fixed costs have gone down from what we  
58 estimated they would be last year. On page 5, the biggest change is a savings in the  
59 Transfer to IT Fund. Overall, looking at the grand total of expenses, we are looking  
60 about a \$355 difference.

61  
62 The 102 sheet is the same expense numbers, broken down into a different format, so you  
63 can see historical expenses of the market. The first section is personnel services. The  
64 majority of the expenses are fixed costs. The next category, starting with electricity and  
65 water, shows only a very slight increase over the past 3 years. Again, a slight increase in  
66 materials & supplies. The other charges, which decrease slightly, include the savings in  
67 the IT fee.

68  
69 D. Black: Under materials & supplies, bank services increased significantly. Why is  
70 that?

71  
72 J. Straw: That is anticipated, so we always try to plan on the high end. We've been  
73 selling more merchandise, for example.

74  
75 D. Barkman: How do you see the numbers playing out over the next few years? When  
76 do you anticipate the next fee increase?

77  
78 J. Straw: We are budgeted to bring in more revenue than we are expensing. In addition,  
79 the market has a healthy fund balance, in excess of \$600,000. While we don't want to  
80 use that if we don't have to, it is an option.

81  
82 As I was saying, the 202A report is the revenue. There has been an increase in  
83 merchandising at market, and so the proposed revenue for that has been increased. At the  
84 bottom, under investment income: we will receive about \$10,000 more than what we had  
85 anticipated.

86

87 P. Pollack: Dave’s question about the longer term is really important. How can we run  
88 the market as effectively as we can, while taking advantage of the fund balance? We had  
89 previously recommended smaller, more incremental fee increases, for example.  
90

91 J. Straw: Currently we are looking at an electrical upgrade at the market, which could be  
92 funded, in part, through the fund balance.  
93

94 D. Barkman: The one other question we struggle with is whether the fees that are  
95 charged for rentals of the market are fair and in line with the fees paid by market vendors.  
96

97 J. Straw: The fee that is charged for the rentals includes staff time, utilities, and the  
98 actual rental of the marketplace.  
99

#### 100 5. Public Commentary – Agenda items only (3 minutes per speaker)

101

102 G. Thompson: At previous meetings of this Commission, I’ve heard discussion of  
103 additional materials that may be required for the vendor application, but I’ve never yet  
104 heard a discussion of why requiring this information is good for the market. Quite  
105 simply, there are two things that are essential: customers and vendors. Without either,  
106 the market will be in trouble. The question should be, how does this additional  
107 information benefit either the vendor or the customer? One vendor has described the  
108 application as “more like an IRS audit than an application,” others have expressed  
109 reservations. An additional reporting burden is not an advantage to the vendors. The  
110 customers express their desires by their purchases. The material I distributed is the  
111 market payment to the vendors, through the city website. I have assumed that the  
112 “vendor payments” are Project Fresh and EBT reimbursements. One of the proposed  
113 changes would be particularly detrimental to one vendor. The sales data shows that is the  
114 vendor most favored by the customers. That vendor alone counts for 20% of your total  
115 EBT and Project Fresh purchases. That vendor’s sales are about twice as high as that of  
116 the next nearest vendor. The market manager has worked to develop the EBT and Project  
117 Fresh programs. Why would you wish to discourage those programs? Vendors in the top  
118 1/3 of the list I’ve given you are generally the ones whose stalls are the busiest with sales.  
119 When discussing new vendor applications, this Commission has expressed a desire for  
120 diversity at the market, yet the proposed changes to the application may eliminate donut  
121 sales at the market. A Michigan farmers market without cider and donuts does not seem  
122 quite right. Price is also a form of market diversity: if you eliminate the \$2-\$3 loaf of  
123 bread, will those customers buy the \$5-\$7 loaf of bread? How many of the most  
124 important products will you eliminate before you start losing customers?  
125

126 K. Goetz: My name is Karlene Goetz, and just wanted to add one thing to what he just  
127 said. I don’t know what it says, but that doesn’t tell you everything about all the vendors.  
128 Myself in particular, I have turned my Project Fresh coupons in directly to the state, and  
129 so they haven’t channeled through the market, even though I received them at the market.  
130

#### 131 6. Approval of Minutes

132 a. Meeting of March 5, 2010

133

134 7. Public Hearing (3 minutes per speaker)

135 a. Prielipp/Goetz Transfer of Seniority

136

137 K. Goetz: My name is Karlene Goetz, and I am the person requesting to have the  
138 seniority transferred to me, from my brother, Ken Prielipp. If you have any questions, I'd  
139 be happy to answer. I feel very privileged to participate in the Ann Arbor Farmers  
140 Market. We participate in many markets, and this is by far my favorite: is fair, it is  
141 supported by the community, and offers many market days through the year so I can  
142 come no matter what I have to sell.

143

144 L. Vasquez: First of all, I'd like to say that there was no application for transfer of  
145 seniority available to review on the market's website. In order to make comments  
146 publicly, it would be useful to have. Also, the minutes for the last 3 Commission  
147 meetings are not posted on the City's website. I am here to question why there is a  
148 seniority transfer hearing. I know its in the rules, but 3 years ago, when the Commission  
149 voted to request that the Market Manager apply the rules to Kapnick, and advised the  
150 manager to require that Mr. Robertello submit an application of transfer, this was Jayne  
151 Miller's answer; "The City has decided that we will not require Kapnick Orchards to  
152 apply for transfer of seniority." At what meeting did Mr. Robertello apply for a transfer  
153 of seniority, and at what meeting was that transfer approved? I've asked this question at  
154 the City legal department many times, and I've never gotten an answer. I would also  
155 refer you to an item I saw today from the Arbor Market Watch blog, which contains a  
156 complaint dated October 5, 2005, about Prielipp Farms and Karlene Goetz, saying they  
157 violated certain provisions, and signed by 28 different vendors. Nothing was ever done  
158 about this complaint. Why does it take 2 years for the City to process their current  
159 application? I think it's a travesty, and a misuse of the market operating rules.

160

161 8. Commission Business

162 a. Old Business

163 (1) Spring Public Meeting

164

165 S. Brines: I felt it was productive and constructive. I didn't hear anyone say we  
166 shouldn't be a producer-only market, which was a significant message I took away from  
167 the meeting. While I heard all types of feedback from vendors, I think the predominant  
168 feedback I heard was that the proposed forms aren't actually too different from the  
169 existing forms. There certainly was some concern for whether we should extend our  
170 monthly meeting time longer to cover some of the subcommittee work. I don't think this  
171 commission has tried to usurp any rules by doing work in subcommittee.

172

173 D. Barkman: It seems like there were a good number of people who felt this was a pretty  
174 big burden, and that a considerable amount of information was requested that is possibly  
175 not that useful. I feel it just adds to clarity, but if this feels like an impossible task to do,  
176 then we should take that into consideration.

177

178 P. Pollack: Is the goal still to use this for the current year?

179

180 D. Barkman: The current application is still good for one more year, so we really have  
181 another year to consider this.

182

183 S. Brines: I would concur with Dave. I don't think we want to put an undue burden on  
184 anyone. At the same time, it would seem that if you are a larger business, then your  
185 bookkeeping would be on a larger scale.

186

187 D. Black: I was just wondering if, perhaps, we could have a work session, to help allay  
188 some of the fears of filling out the forms.

189

190 S. Brines: I think we should revisit the original goals of the application and inspection  
191 form, to determine whether the information we're proposing useful.

192

193 P. Pollack: Molly and I sat down quickly with Matt this morning, to take a look at the  
194 inspection form and make sure it contained information that was useful to him.  
195 Suggestions for additional advertising and promotion came up.

196

197 S. Brines: I felt turnout at the meeting was pretty scant. Is this something to consider for  
198 future vendor meetings?

199

200 P. Pollack: My recollection is that the attendance was not that different from what it's  
201 been historically.

202

203 M. Notarianni: One suggestion was having some sort of activity/enrichment that might  
204 be useful to vendors, in addition to the market discussion.

205

206 b. New Business

207 (1) New Vendor Discussion

208

209 M. Notarianni: I received one application for paper crafts, one for baked goods and  
210 grilled vegetables, one for candles, and one for produce, eggs, and cut flowers.

211

212 P. Pollack: It would be helpful to follow up when any of the new vendor applications are  
213 approved to sell at the market.

214

215 (2) Prielipp/Goetz Transfer of Seniority

216

217 M. Notarianni: First I will go over the transfer process. There are 3 instances in which a  
218 transfer could happen. Seniority may be transferred upon the death of an annual vendor  
219 to an immediate family member, seniority may be transferred upon the retirement of an annual  
220 vendor from the market to an immediate family member, and seniority may be transferred  
221 upon the sale or transfer of a vendor business. In this case, the second situation applies:  
222 upon the retirement of an annual vendor.

223

224 In this situation, 2 stipulations must be met: the immediate family member has been listed  
225 on the vendor application for a minimum of three years, and has either actively  
226 participated with the vendor at the market for a minimum of three years or has actively  
227 participated in the vendor's business for three years.

228

229 Kenneth Prielipp of Prielipp Farms was an annual vendor at the market, and in 2003  
230 added Karlene Goetz to his application as a person working with him at the market.  
231 Karlene is Kenneth's sister. In spring of 2008, Goetz Farms initially verbally requested  
232 the transfer, upon Kenneth's retirement. The application included several documents,  
233 including Karlene's birth certificate, which showed who her parents were, her marriage  
234 license, which showed she is married to Jonathan Goetz, and Kenneth's marriage license,  
235 showing he had the same parents as Karlene. Based on all of that information, it is my  
236 recommendation that the transfer is approved. I believe it meets all the requirements.

237

238 G. Service: I've reviewed it, and I agree with you, Molly.

239

240 S. Brines: It seems pretty cut and dry in this case. It is well within the market rules.

241

242 P. Pollack: I call a vote.

243

244 Transfer passes: 4 in favor, 1 opposed.

245

246 P. Pollack: We can pass that on as an advisory recommendation.

247

248 9. Reports and Communications

249

250 M. Notarianni: No vendors were inspected in the past month, but inspections are  
251 beginning again. Two new vendors started in the past month: John Harnois, with  
252 heirloom poultry and eggs, as well as Chris Wright, with mushroom kits. The market has  
253 been promoted in the Old West Side News and the Ann Arbor Observer in the past  
254 month. We also received an order of incredibly beautiful promotional postcards, which  
255 will be for sale in the market office. A collaboration between Republic Parking and the  
256 DDA will plant several large ceramic planters of flowers in the beds along the Fourth St  
257 side of the market for Downtown Blooms Day in May. We will also be hosting an  
258 educational mobile bike repair trailer at market for the next few Saturdays, and free  
259 compost giveaways on April 24 and May 1. I am working with the Ann Arbor Farm to  
260 School collaborative to connect farmers at the market to local classrooms. I've also been  
261 meeting with MSUE educators and agents from local WIC offices, to coordinate several  
262 events including Project Fresh and Senior Project Fresh distributions at the market, as  
263 well as Bridge Card-related outreach and nutrition education.

264

265 b. Related Boards, Commissions, Committees, and Task Forces

266

(1) Outreach Subcommittee

267

(2) Policy/Procedure Subcommittee

268

269 P. Pollack: As mentioned, Molly & I met with Matt for a bit this morning to get his  
270 input. He suggested that “yield” should be changed to be quantified in acres, and he was  
271 unsure of the usefulness of “employment practices” as well. I think with notion of the  
272 prepared foods discussion, Matt suggested he was more interested in process than the  
273 source of ingredients. We also discussed broadening the list of categories under  
274 “producer.” Matt also brought up the idea of conducting inspections at the market, as an  
275 important missing link.

276

277 c. Items from Commissioners

278 d. Transmittals/communications received

279 9. Public Commentary – General (3 minutes per speaker)

280

281 G. Thompson: The current application seems to suggest that bedding plant vendors  
282 propagate their plants either from seeds or from cuttings. If we are going to make this  
283 truly a producers only market, why should that not apply to all plants sold at the market?  
284

285

286 L. Vasquez: I would like to know how all of the vendors obtained their seniority in the  
287 first place. How far back do the records go, and how can the City provide beyond a  
288 shadow of a doubt who got seniority, and when? Just the fact that Molly said there was  
289 no form for transfer of seniority in the legal department tells me there was no transfer of  
290 seniority from Kapnick Orchards to Kapnick Farm Market Inc. Also, I would like you to  
291 solicit a form for the transfer of seniority for Wasem, there was never a transfer to Bruce  
292 Upston. I think the whole seniority process has been corrupted, and urge you to do  
293 something different, like a lottery, or to auction stall spaces. Those vendors that make the  
294 most money due to their stall spaces should be willing to pay a premium. I would also  
295 like you to investigate who sells “Proven Winners” at the market. They sign an  
296 agreement with Proven Winners to use their trademark when selling the items, and I think  
297 that is not aligned with the spirit of the producers’ only rules. I think it is a good idea to  
298 carry the inspection through to the market as well. I want to lobby again for from-scratch  
299 baked goods rules.

300

301 D. Barkman: Let me explain one thing about the Proven Winner brand, since I am one of  
302 the growers that does it. The Proven Winner brand is actually a collection of 4  
303 greenhouses across the country that grow cuttings and nursery stock primarily, and a lot  
304 of nursery stock that is specially developed, and thus patented or copyrighted. In order to  
305 sell their product, there is no agreement that different than any other seed or commodity;  
306 it is just that these people have done significant work creating, in their eyes, a better  
307 product.

308

309 10. Adjournment

310

The meeting was adjourned at 7:00 pm.