



Public Market Advisory Commission Minutes- August 4, 2009

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Meeting Agenda

1. Call to Order

The meeting was called to order at 5:35 p.m.

2. Roll Call

Members Present: (3) S. Brines, D. Black, P. Pollack

Members Absent: (1) G. Service

Staff Present: (1) M. Notarianni

Guests: (0)

3. Approval of Agenda

4. Special Presentations

a. Progress Report: Market Renovations

M. Notarianni: The conduit installation is almost complete, the light fixtures are due to ship on August 3, power washing of the market should happen tomorrow, and then the market will be ready for painting.

P. Pollack: Has information regarding renovation status gone out to vendors on a weekly/biweekly basis?

M. Notarianni: There haven't been any major updates to share yet.

P. Pollack: It would be nice to let them know when painting is scheduled to begin.

M. Notarianni: Yes! I agree.

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

L. Vazquez: I am assuming you've all see the Ann Arbor Observer's item that says I will be protesting at market this Saturday-which I plan to follow through on-but I want to read to you an item sent to the Ann Arbor Observer as well as City Council, from Scott Newell, the owner of Big City Small World Bakery.

“I read with interest the article about Luis Vazquez’s intention to protest and petition the Ann Arbor Farmers’ Market over Kapnick Orchards’ resale of baked goods that they do not produce themselves. The fact is that everything Mr. Vazquez says is true. Scott

43 Robertello of Kapnick Orchards sells baked goods that he buys frozen and thaws out and
44 bakes and resells at the market. In the past, Robertello acted in blatant but unenforced
45 violation of the market rules. In response to market commission concerns, the city,
46 instead of just enforcing the rules, decided to defang the commission, rewrite the rules,
47 and basically give the market manager ultimate discretion regarding enforcement. I
48 know this because I am a former market commissioner. While these changes were
49 ostensibly a good thing to help streamline the rules and enforcement process, I cannot for
50 the life of me understand why the city and market manger have refused to stop Kapnick.
51 Fear of bad publicity? I don't know. As a market patron, I feel vendors should only be
52 allowed to sell what they produce themselves. I take "buy local" very seriously, and that
53 is why I shop at the Famers' Market instead of elsewhere. Sincerely, Scott Newell."

54
55 When complaints are brought forward here, in front of the Commission, or elsewhere in
56 the City, who is the burden of proof on? In this case, I believe it lies upon Kapnick
57 Orchards to absolutely prove the items he sells at the market are really of his own
58 making. Baking is a real art, and I think the citizens of Ann Arbor deserve the best goods
59 possible, and deserve the assurance that what they are buying is from the vendor. In fact,
60 the Market operating rules still state vendors bringing items to market must "make," not
61 "produce," but "make" them. I am bringing this to Council's attention tomorrow at the
62 Caucus, and will ask them to adopt the rules I brought to this Commission in March, and
63 have never heard any reply form this commission. I am disappointed with that, and will
64 continue to advocate to better baked goods rules.

65

66 6. Approval of Minutes

67 a. Meeting of August 2, 2009

68 7. Commission Business

69 a. Old Business

70 (1) Special Events at Market

71 ~ 90th Birthday Celebration

72

73 M. Notarianni: I finishing planning the 90th Birthday Celebration, scheduled for this
74 Saturday, August 8. Elements include: free gelato with toppings donated by market
75 vendors. I decided, at the recommendation of Commission, to give away gelato from
76 Zingerman's Creamery, a market vendor. There will also be free birthday cake, live
77 music, kids' activities, and an oral history booth. Genia & I made buttons for all the
78 vendors to wear that say their name and the number of years they've been at market. The
79 cake and ice cream giveaway will happen at 11 am.

80

81 P. Pollack: One of the characteristics of a birthday party is balloons. Are there any plans
82 for that?

83

84 M. Notarianni: That's a great idea!

85

86 b. New Business

87 (1) New Vendor Discussion

88

89 M. Notarianni: I have received many applications in the past month!

90

91 P. Pollack: What is the process to apply to become a vendor?

92

93 M. Notarianni: The application can be picked up at the market, from our website, or in
94 the mail. Potential vendors first complete an application, I initially review it, then the
95 Commission offers their input, after which I make the final decision. The last step of the
96 approval process is an inspection to ensure they are producing the items they'd like to
97 bring to market.

98

99 The applications I've received this month include: handmade pillows & clutches,
100 pollinator habitat kit, another farm, various South. American cookies and cakes, different
101 varieties of garlic, succulent houseplants, kosher kettle corn, a new food cart vendor,
102 French bread and French pastries, pretzels with candy on them.

103

104 P. Pollack: How would we categorize the pollinator kit?

105

106 D. Black: It sounds like they are assembling the kit, rather than producing it.

107

108 M. Notarianni: Yes, I agree.

109

110 D. Black: I hear baked goods come up again. It seems like we have a lot of baked goods.

111

112 S. Brines: I think pushing year-round and Wednesday attendance is good. I think
113 including more farmers would be good as well.

114

115 2) Discussion of Commission

116

117 P. Pollack: We have yet to fill Ken's seat on the Commission. How have you advertised
118 the open position? In the vendor newsletter, and with signage at market?

119

120 D. Black: We also discussed it at the public meeting this spring.

121

122 S. Brines: I think we should make one final effort to remind people the position is open
123 and will be closing soon.

124

125 8. Reports and Communications

126 a. Market Manager

127

128 M. Notarianni: Fusilier Family Farms & Greenhouse and Erie Orchards were inspected
129 in the past month. New vendors at the market include Abe Schwartz, Andrew Graeber,
130 and Thomas Organic Creamery. Both the Fourth of July and Wednesday of Art Fair were
131 busy market days, with many happy shoppers and vendors. I am putting the final touches
132 on the 90th birthday celebration, which will include music, free gelato with toppings from
133 market vendors, free cake, kids' activities, and an oral history/market history booth. We
134 hosted a jam-making and pickling class at market in the past month. The oral history

135 booth has been well-received! We will be hosting Project Grow's annual Tomato Tasting
136 on August 22, and a plastic recyclable planter pickup on September 5. I am working in
137 conjunction with many other area food folks to promote September as Local Food
138 Month, and hope to host an Eat Local Challenge at the market! The market has been
139 promoted in the Old West Side News, the Ann Arbor Chronicle, the A2 Journal,
140 AnnArbor.com, and on the Lucy Anne Lance Show over the past month. We also have
141 over 100 twitter fans! New promotional market stickers, tote bags, and buttons are also
142 on the way. Trunk-A-Palooza has been occurring in the market every Thursday since the
143 start of July. Several weddings have taken place in the market this summer, with more to
144 come. September also brings the HomeGrown Festival and the BookFest to the market.

145

146 P. Pollack: Can we discuss the potential for at-market "followup" inspections?
147

148

149 M. Notarianni: That isn't something that has actually happened yet, but I feel like it is an
150 important component of the inspection process. We'd like to have a regular schedule of
151 at-market inspections. The example I gave was the protocol used by the New York City
152 Greenmarkets, where each morning the market manager completes an inventory of
153 several vendors as they're unloading.

154

155 S. Brines: I think the Greenmarket example is the best I can think of. It is certainly the
156 least hindrance to a vendor. In my mind, it is basically a matter of allocating inspector
157 time.

158

159 P. Pollack: The significance of the at-market inspection is to put in perspective what is
160 seen at the farm with what is actually visible at market.

161

162 D. Black: There is also the question of not just farms, but also bakers.

163

164 M. Notarianni: Yes, the inspector would inspect them all.

165

166 P. Pollack: It seems like balancing time between farm and market inspection is a good
167 idea.

168

169 S. Brines: I think the inspector should have some leeway in deciding when to do the
170 inspection.

171

172 P. Pollack: The way the process works today, the visit to the production site is
173 prearranged. I like the notion of the market inspection/spot check not being prearranged.

174

175 S. Brines: Of course this will only make sense if normal inspections are in place, which
176 it does seem like we are moving towards.

177

178 P. Pollack: Matt Demmon, the market inspector, seems to be doing a great job.

179

180 Molly, one thing you mentioned earlier today was that you have some annual goals.

Perhaps it would be helpful to have a work session, in addition to a regular meeting, so

181 we can go over your goals, and also draft goals for the commission for next year.

182

183 I think we have a date-July of next year-to open up dialogue of the rules. The rules we
184 have today will remain in place through July of next year, at which point we will re-
185 evaluate them.

186

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

188 c. Items from Commissioners

189

190 S. Brines: The HomeGrown Festival will be in the market space, 5-10 pm on Saturday
191 September 12, after market concludes. Could there be a resolution, or informal official
192 state of support from the Commission?

193

194 P. Pollack: I think it obvious that the HomeGrown Festival is a very important event to
195 take place in the market. You certainly have the Commission's support!

196

197 d. Transmittals/communications received

198

199 (1) D. Kwan, 7/29/09

200

201 P. Pollack: This communication related to an incident a customer experienced at market.
202 A particular vendor had price listed as per unit, but when the customer went to pay, they
203 were charged on a per volume basis. This again points to the need of having very clear
204 information at each stand. We will follow through on it.

205

206 S. Brines: I would agree with the signage. I would assume this is a mistake, but we can
207 use it as a teachable moment: proper signage is essential, and any additional information
208 that can be provided by vendors is great.

209

210 (2) L. Vazquez, 7/31/09

211

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

213

214 L. Vazquez: When I brought forth my complaint, I received an email from Jeff Straw,
215 who said that based on a 2008 inspection, there was no evidence of buying & selling pies.
216 Unless it has been modified, the inspection form does not include any provision for the
217 inspection of baked goods. I can understand why Jeff responded in that way, because
218 you can't find what you're not looking for. I would urge that the form be modified to
219 include baked goods and that the inspector go through some training as to what to look
220 for when you're looking at baked goods. How do you identify when something is not
221 being produced by the person that's selling it? I'm also confused about the complaint
222 process. Years ago, Kapnick was a party to a complaint against Erie Orchards, claiming
223 they were importing peaches to sell at the market. The process worked: Erie Orchards
224 was investigated and suspended from the market for a time. The process worked then;
225 why doesn't it work now? Shouldn't Kapnick be subject to the same scrutiny? In fact,
226 Heim farms lost their seniority for refusing an inspection. Is it a matter of who is raising

227 the complaints? I would find that discriminatory. Please enforce the rules. I don't prefer
228 confrontation, but I don't feel I have any other options.

229

230 10. Adjournment

231

232 The meeting was adjourned at 6:30 pm.

233

234 ***Note: In response to pending City Hall/Courts and Police construction, Market***
235 ***Commission meetings have been relocated to the 4th floor Board Room of the Ann***
236 ***Arbor District Library, and will occur on the first Tuesday of each month, at 5:30 pm.***

237

238 ***PMAC meetings will be rebroadcast on CTN at 10:00 AM on Thursday, 5:30 PM on***
239 ***Friday, and 3:00 PM on Saturday.***