

August 6, 2019

Dear Stephanie and fellow vendors at the Ann Arbor Farmers' Market:

Rumors have been flying around the market lately regarding changes in rules of stall allocation. I will try to be brief, though this is not easy with a history so complicated:

1. As regards the possibility of allowing any vendor to take four annual stalls, **I am opposed in every way.** Having participated almost an entire winter in the dispute resolution of 1996 (to hammer out compromises between annuals and dailies which were ratified into law by the Ann Arbor City Council). This was arranged by the city to avoid lawsuits. I went down to the city hall and spent days reading all of the minutes surrounding the prior changes which caused all the problems, so I am well acquainted with the damage, born of greed, nothing less, a few 'lucky' annual stall holding families can take on a Market and its customers, giving nothing more back than what they had to begin with in the way of products. Variety suffers as well as eventual morale of the vendors not so fortunate as to possess four stalls. **I vote 'no' upon the idea of four stalls for anyone.**

2. As to the idea of more crafters taking permanent stalls in the market, I worry that the present balance of produce-plants to crafters will suffer if crafters become a larger part of the Market than what we have now. As a tradeoff, perhaps rules might be amended to afford greater stall privileges to crafters **during the winter holiday season**, though I do feel it is **not** in the interests of the Market or its customers to turn away growers during the spring and summer seasons to benefit more crafters. Some of my uneasiness is based upon my experiences at a few large Ohio Markets which eventually became more like flea markets when too many crafters with redundant products (especially jewelry) were allowed too great access, limiting growers access. Growers shun the flea-market atmosphere, each for their own reasons.

I know that we have fewer vendors than we had five years ago. It is so tempting to change a hard-won sound plan of stall allocation. Having been here since 1991, I have witnessed stall demand go full circle: an overabundance of growers, holding steady, then fewer growers. Some of this might be the fault of our inspections policy, which hit vendors just starting out a little harder since they have more trouble proving what they 'will' grow than growers on established farms. In the nineties I vividly recall respectable, fully-loaded growers being turned away, not even having sidewalk stalls open to them. The market mistress apologized

up and down, but they were still turned away. The number of vendors is always in a constant state of flux, dependent largely upon the economy.

In tough economic times more unemployed vendors will appear to try out the market environment. In times of plenty they acquire employment and disappear. But if rules are changed in leaner times, the Market will be ill equipped to deal with the benefits more vendors will offer in better times. I think of this as a set of devoted parents living in a large farmhouse with seven bedrooms. They have two children and knock out the walls of all the empty bedrooms so each of their children can have very large bedrooms. Both children become spoiled, of course, having a grand piano, a gym and a library in each of their bedrooms. Then, out of the blue, the parents are blessed with a set of quadruplets. The spoiled children do not wish to give up their grand pianos so handy there by the bed, nor their trapeze swings and jungle gym in their room, nor their own little libraries, so handy, day and night.

But where will the parents put the four newcomers? This was The Ann Arbor Market in the mid 1990's, not enough stalls to go around. In the mid 1980's it was quite the opposite. Those vendors saw their chance and began consulting attorneys, even bringing them to the market commission meetings to change the operating procedure so they could have more stalls. This made the city nervous, though they caved in, not by law, but through lack of enforcement. Some vendors ended up with five stalls!

Well, the 'quadruplets' arrived pretty quick, around 1991, then two sets of triplets in 1996! We were packed and used every single sidewalk stall. New vendors set up out on the triangle, even on the curbs behind other vendors. New attorneys were consulted who actually went downtown to read the standing law. I was one of them, hence the negotiations. It is so easy to forget even the very recent lessons of the past. Don't do it! If three stalls are not enough, then maybe the vendor belongs at Eastern Market, not at a local farm market.

Sincerely,

Judy and Terry Snider, Rosa's Front Porch, 248-478-3207, froggyrosa@gmail.com

Sincerely,

Judy Snider

Rosa's Front Porch

July 23

I'm writing because although Stephanie has kept me in the loop many times through these months of working toward this, which I really appreciate, this change was sprung on me right as I was leaving to drive to the meeting, with no time to process, prepare or respond. We are getting down to the wire. To work so hard and then have the rug pulled out at the last minute is very upsetting.

Here are my basic points. After that is a letter going into more detail.

1. There has been a request by a long-time vendor that since 2 of the artists out of the 3 applying for this exception will now actually be eligible for annual stalls in 2019, we should change the exception to include the next 2 artists who meet the original criteria, keeping it at 3 artists getting the exception. This makes sense, does not make a substantial change, and we should do it.
2. We have acknowledged the importance of this process happening at the start of the 2019 walkout by taking a lot of action to ensure it can be accomplished now rather than putting after the 2019 walkout.
3. It makes no sense to suddenly move this to the end of the 2019 move up at the last minute. No one has requested that and it does a lot of harm to the artists involved, especially the 1 leftover from the original group of 3. Please read the whole letter to better understand some of the harmful impact of putting this off until the end of the 2019 move up. There is new information which I haven't shared in the past because of the time constraints of the meetings.
4. Since we've been very clear that this is a one-time event, It makes no sense that we suddenly have to put this after 2019 move out in order to implement a new elaborate process that is 'repeatable'. This proposal is not repeatable anyway, since it depends on the extra stalls being in multiples of 3.
5. I feel that it is very possible to come up with a mechanism that will still give the one-time exception to 3 artists but will not put this process off for another year. I suggest that the proposal simply add the top 3 non-eligible artisans to the 2019 move up group, and stalls be awarded to the whole group in the current order of the list. This is simple, makes common sense, accomplishes the benefit we've spent all year working toward, and does no harm.

1.

I feel it's fair to say the market manager and the commission are in agreement that giving the 3 leftover stalls from 2018 to the top 3 non-eligible artists is the right thing to do. We've been working toward that all year, it has been an open, public process, and I've been told throughout

that all involved think this is the reasonable, right thing to do. I've asked Stephanie several times throughout the year if there have been any negative comments from any market vendors and been told no.

So I think it's well established that we want to give the top 3 non-eligible artists the 3 leftover stalls from 2018. We will make a one-time, temporary exception. Temporary in that we will not permanently change the number of stalls allotted to artists in the operating rules, but just make a one-time exception which will revert back as the next 3 artists retire. Everyone seems to be in agreement on this.

Only one thing has changed. We've come to the 2019 stall awards, and 2 of those artists will now be actually eligible for stalls under the rules since 2 annual artist stalls have come open.

Therefore, if things are put through with the exact wording we've been discussing as we have spent all year planning and working toward this, 2 of the 3 individuals given the exception will immediately revert, and only 1 individual will remain under the temporary exception.

Stephanie has let me know that it has been suggested that we move the next 2 artisans, who are different individuals, but who still meet the same criteria, having over 20 years seniority and being at the top of the daily list [having been stuck there for years], into the process.

This seems really reasonable to me. We wanted to pass those 3 stalls temporarily to the top 3 'stuck' artists, who have over 20 years seniority, and we should still do that. I believe the first grower currently on the daily list has only 10 years, based on what was written in the last meeting agenda.

What doesn't seem reasonable, fair, or just, to me, is the new proposal under which we move this process from the beginning of the 2019 move up, to the end of the 2019 move up, allowing an additional 7 producers who take 10 spots to leapfrog over these artists.

This will have dire consequences for me as that leftover individual, and really for the next 2 artists as well.

It is especially extreme because there are a lot of spaces opening up this year. An additional 15 spots plus the leftover 3, 18 total.

7 daily growers who take a total of 10 stalls would leapfrog over us under this plan. The last grower who would leapfrog over us started in 2014. I started in 1997. That's 17 years. 17 years. 23 years vs. 5 years.

2.

We have already acknowledged the importance of passing the stalls to the artists this year, in a few different ways.

First, when I suggested that we should change the market rules to fully make artists regular

vendors, like all other categories of vendor, Stephanie pointed out that that would require a rule change which would take much more effort and that we would not be able to make that happen this year. All agreed to do this temporary exception instead, because of the importance working quickly to accomplish this this year, before yet another avalanche of growers leapfrogs over us.

Second, Stephanie has gone to great effort, which I really appreciate, to meet with her department, meet with the city attorneys, write 2 proposals at once [rule change plus exception proposal], and schedule the move up process in August, all to accommodate having this happen at the beginning of this year's walkout rather than after it.

Third, these facts are written right in the proposal. It says right in the proposal that we will effectively be pushed back an additional 5 years worth, if this new proposal is adopted and we wait until after 2019 move up to implement this plan.

The fact that we've gone to all of this effort to ensure that we can accomplish this this year, at the start of the 2019 move up, shows that we recognize the importance of doing this now, not letting another year's worth of growers jump over us.

Again, 7 daily growers who take a total of 10 stalls would leapfrog over us under this new plan. The last grower who would leapfrog over us started in 2014. I started in 1997. That's 17 years.

3.

What it means for me: Keep in mind that this is what I do as my job, my livelihood, and has been since I was 24 years old, 23 years ago. As vendors retire, they often come a bit less, and then they stop coming. This happens at different times throughout the year. As this happens, remaining vendors end up with more spaces to choose from. We sort of gradually move up through the year, and sometimes over a few years as an older vendor might come less and less for a few years leading up to retirement. Then for growers, this continues - they get to actually move up the list into the annual stall list. For artists, every year at the stall move up, we actually move DOWN the combined list again, as we are leapfrogged over.

We vendors all have different needs - some want parking behind our stalls - some don't need it and don't want to pay for it. Some have items damaged by rain, some don't, and different stalls are better for rain. Some need 2 together, some only 1. Those who need 1 often need the one without the post because it's 6 inches longer. Some like a certain aisle, some like a different aisle. I have an unusual need of having a stall where the roof is not too high to reach.

After 23 years, I would like to be able to choose according to my needs.

When I pick in the mornings this year, I have able to get spots that I am happy with, just about every day. Never the exact same stalls, as others who started years after me are privileged to have, but I am able to be on the aisle I like [out of 4 aisles at the market], get 2 stalls together, park, not have rain problems, and I can reach the roof to hang my goods.

This has happened to me a lot over the years, as older growers come less and less over a few years and then retire, I might move up to a good place. Then in July/August, at the stall move up, the rug is pulled out from under me. Then depending on how many and which particular vendors retire and which vendors jump over me [what their preferences are], I slowly get back to a good place after a few years.

Right now, when I pick in the morning, I can see that when 7 growers who take 10 stalls leapfrog over me, I will not be able to get the stalls I want. Again.

When growers retire next year, and each subsequent year, I will scootch up a little, get to take my preferred stalls on more and more days throughout the year, but it will likely take several years to recover fully from this year's losses, since so many are changing hands.

This makes a difference in my livelihood, how much money I make. It also feels terrible. It makes every day stressful as I have to deal with unfavorable logistics for my particular needs. It is unfair. We have worked all year to redress this, what we all seem to agree is an unintended severity of unfairness toward me and a few other vendors.

If we put through this new proposal, we will be making the same exception we've been planning all along, but putting it AFTER this year's move up, AFTER these 7 more growers taking 10 stalls leapfrog over us.

It will effectively put it off for another year - after we've taken so many steps to ensure that it can happen this year.

Surely this makes no sense. No one can think it's fair to have people who started in 2014 jump over someone who started in 1997. The purpose of this rule is to 'keep artists from taking over the market'. It doesn't actually even function to do this since it doesn't prevent currently accepted artists from coming to market every day, and it surely was not intended to result in this extreme level of unfairness to a few individuals - I think we all agree on that point.

If we do it this year, at the beginning of 2019 move up, following the order on the seniority list as it now stands, these growers who are currently behind us, will still be behind us, and will not lose anything or slip down in any way. They will simply not get to jump over us.

If you are standing in line at the post office behind 10 people and you get to take cuts in front of 1 person, it doesn't make a huge difference in your life. If you are standing in line and 10 people take cuts in front of you, it really changes your day. [now compound this over and over and over, for years]

It is definitely not 'no big deal'. I will never regain the 7 spots in the annual seniority list that jump over me, unless all of these new, younger vendors some day retire before me. I will, eventually, after years, possibly get back to reliably getting the aisle I prefer and the spots I like, but this is in no way acceptable and is not a consolation and does not make it okay. 'Maybe it won't be as bad as it seems' is not acceptable. I know how bad it will be, as I have experienced it repeatedly. If anyone has any questions about this, I can explain even more nuances that take

my point even further.

Right now, this year, on several days I am getting the very last 2-stall spot with parking on my preferred aisle. Moving down 10 spots will assuredly bump me off that aisle on most, if not all, days, down into the lower half of the middle aisle, which is a tough spot for vendors like me who depend heavily on tourist traffic who may not delve into the end of the 'middle aisle'. (although it's a great spot for others, for example a vendor who has bedding plants and cut flowers who has mostly local customers, and who has the privilege of having earned 3 annual spots all together in a row).

This has happened many times in the past, I have been bumped back down into picking the low end of the middle aisle. This results in even my regular customers sometimes not being able to find me because they don't realize I may be in a totally different area, even though I try to always tell customers about it. It also results in less high-summer tourist traffic who aren't familiar with the market, which I depend upon heavily, (unlike many of the growers who would jump over me and take over the stalls I am currently getting to pick).

4.

We've gone on and on about how this exception is a one time event, so it makes no sense to put such import on a new, elaborate, repeatable process that we supposedly never intend to repeat. If this is requested again, we can come up with an appropriate process that make sense for those specific circumstances when the time comes. The new proposal is also made unrepeatable as it only would make sense in a year with leftover stalls in multiples of 3, which seems unlikely to be the case most years. And it's just too important that we don't put this off, causing another 10 spots to jump ahead of us.

5.

I don't like to believe that all this work and process will come to being jumped over by 7 more growers taking 10 spots, who started as late as 2014, 17 years after me. It's not acceptable to go through this long, arduous public process only to be suddenly undermined with no warning at the last minute, changed to moving this to the end of 2019, which has no additional benefit but does much harm.

From what I've been told, the comment that caused this change does not even ask or mention that this process be moved to the end of 2019's move up rather than the start, but only that the next 2 artists be included. There does not seem to be any real will to move this back, it seems capricious and wholly unnecessary to do this.

It seems to me we can easily change the process to include the next 2 non-eligible artisan vendors, without moving the process back.

We can simply say that since we had 3 leftover stalls for 2018, we want to award the 3 top non-eligible artists annual stalls, which will change the number of artisan stalls on a one-time, temporary basis and will revert as the next 3 artisans retire. To do this, we are adding the 3

leftover stalls from 2018 to the pool of stalls for 2019, and we are including the top 3 non-eligible daily artisans to the group being awarded annual stalls in the 2019 move up process, and then that group will then pick in the order that they are currently in on the currently seniority list.

The market rules say, “Daily Vendors shall have the option to become new Annual Vendors based on seniority. New Annual Vendors shall be assigned one stall each in order of seniority as established by the Daily Vendor List, until all available stalls are assigned.”

This way of doing it is simple and seems to make perfect sense. I don’t see anything that goes against the rules. If this is not acceptable for some reason, I feel confident that we can tweak it until it does. Please allow us to go through this process if needed.

In addition, in my mind, after a public process started 6 months ago, it should be considered too late to make sudden, last minute, very substantial changes like this. I have attended and publicly spoken in favor of what we’ve worked on and planned, at many meetings over 6 months, as have several others, with no one ever coming to any meeting to speak in opposition to this, or even writing a public letter, (other than a couple letters at the first meeting stating that artists should not be given more spaces at the market, which is not what’s happening anyway). This should count for something. There has been more than ample time and notice for vendors to become involved in the process. None have taken part, until this very last minute, when they can apparently easily disrupt what we’ve planned with such time and care. Even the person who has objected has not objected to giving the spots or to giving them at the front of the 2019 move up - only has wanted it to continue to apply to 3 artists, as originally planned, which is a good idea. There’s absolutely no reason to move it back a year. It makes no sense.

The expectations of dailies after us that they would be allowed to jump over us is not a reason to delay this process. I’ve asked Stephanie very recently if anyone has objected to this and was told no. No less than 6 vendors have written letters and spoken publicly in support of this. None have come to meetings or written letters in opposition to this plan. In addition, in objective fact, the harm done to artists being skipped over is much more meaningful than the benefit dailies would get from jumping over us. Not getting to take cuts in front of someone is not comparable to having 10 people take cuts in front of you. Dailies after us would not move down at all, just not get to jump over us.

Have gone to great effort to ensure it happens this year, makes no sense to suddenly write a new, elaborate proposal to effectively shunt it off to next year.

Changing the individual vendors who still meet the same criteria is not a substantial change, and is a good idea. Moving the process back is a substantial change with dire consequences for those asking for relief, and does not make sense.

While I respect all vendors and support their (our) right to have input, this truly won’t affect current annual vendors, it won’t change the makeup of the market for customers, does not harm the daily growers [only stops them from getting an unfair benefit], and does have a huge effect on these few artists. Ensuring that this happens at the front of the 2019 move up is such a minor

thing for anyone other than these artists that, as we've talked about over and over through this process, will not set anyone else back, but will make a huge difference to us. With all due respect, my 23 years count for something, too. The vendors who would skip over me under the new proposal have as little as only 5 years. I'm not asking for a benefit over others, only to have a harm removed.

If my suggestion for the mechanism does not work, please work with me to find one that does. We've put a lot of effort into making this happen this year, let's please not drop the ball now at the last minute.

Thank you,
Ann Sheppard

August 1

First, I want to thank all of the commission members and Stephanie for their time and consideration. I understand and appreciate that you are volunteers who are giving your time just to benefit the market and community. I especially want to also thank Stephanie for all of her time and work on this.

I also want to say that all of us honor, respect, and appreciate the growers at the market. No one wants to 'take over' the market or take away from growers. We are simply pointing out that the disadvantage given to a tiny minority of vendors has gotten to a point where it is too extreme.

It is said that this is a "farmer's market" and some don't want artists here. But, artists were invited to become members in the 1960s, over 50 years ago. Let's please accept that. We are valuable members of this community. We do draw customers and help make our market special and successful.

In fact, I personally was invited to become a vendor at the market by a grower, back in 1997 when I was 24 years old. I have been a member in good standing ever since, I am now 47.

I am not asking to get precedence over any type of grower or jump over anyone. Simply to stop being jumped over, after many, many years of that. No growers will move down the list under my proposal. They will simply not jump over me. But if they do jump over me again this year, I will move down another 7 spots, 10 stalls worth. So the question is not, should I jump over them or should they jump over me. The question is, should we stay in the exact same order we are now in, or should they jump over me.

I believe that we all agree that this is an unintended, extreme discrepancy that needs to be remedied. The question is at what point.

Should it be at over-20 years vs. 10 years? Or should we go all the way to over-20 years vs. 5 years?

Think about what you were doing 23 years ago. And 10 years ago. And 5 years ago.

I've never come forward to ask for this before. I'm not agitating to get more crafts at market or to try to get ahead of anyone else. In fact, I've pointed out to the commission how they could actually limit the amount of crafts at the market. I love the market as it is, and have made it my home for my life. I honor the growers. We all shop with each other, support each other in many ways, and are like a big extended family.

But at this point, this discrepancy has gone way past the point of being reasonable. 23 yrs vs 10. More than double. So I am finally asking for relief. Please don't push this to 23 yrs vs 5. It's just too much.

I think everyone here wants to support small family farms. All we are saying is that this does not justify such an extreme discrepancy to a tiny minority of our market's vendors. We aren't asking

to jump over them or move them down - this won't do that. We will stay in the same order that we are in now. This proposal will simply stop another big group of every other type of vendor [not just family farms in particular] from jumping over us...again.

The fact is, we say we want to support small family farms, but we don't actually have any rules to specifically benefit small farms. If we want to, we should make some. But that isn't what this is about right now. No one has come to the commission asking for small farms to be given precedence over other types of vendors. The proposal we are talking about here, that we've been talking about all of 2019, is about remedying an overly extreme unfairness to a tiny minority of artist vendors. I believe that we all want to remedy that unfairness. Having another large group of all other types of vendors jump over us yet again, does not do that.

Artists are a group that have been singled out at the market. I don't think this is helpful to our market. I think the manager and commission should work to heal this, not continue it. We don't even have any rule in place to limit the amount of artists at the market, just some that give a disadvantage to the artists we do have. We are a tiny minority, so it's easy to find vendors who will oppose us. We aren't opposing anyone else or wanting any advantage over anyone else. I hope that the market manager and the commission will stand up for us even though we are a minority, and remedy this extreme discrepancy, and it seems very clear to me that the right time to do this is now, at the start of 2019, rather than jumping another large group of vendors over us.

Over-20 years vs. 10 years is the right time, it's more than double. Over-20 vs. 5 is just too much.

Thank you,
Ann Sheppard

P.S. Stephanie has let me know that one specific new argument against my suggested proposal is that if the 3 extra artists were passed through last year, as intended in the very first proposal, that we would have only had the worst 3 stalls to choose from, whereas now we will have all of this year's 18 stalls to choose from.

This argument does not hold water.

If we became annuals last year, we would be annuals already, and during 2019 stall move up, we as annuals would also get to choose to move up into any of those 18 stalls, before any of the new dailies from this year got to start picking. So we would have been in a better position in the very first proposal, not the other way around at all.

Another is that now there are 5 of us artists moving up instead of 3. This is not true. 2 artists have retired so 2 artists are getting passed into the 12 allotted annual stalls.

We were proposing to give annual stalls to 3 extra artists who have over 20 years seniority. We are now still proposing to do the exact same thing. 3 extra artists. Same.

(If we only want to do 1, let's go back that that original proposal. - I'm not suggesting this, just pointing out how it doesn't make any sense.) Thank you again.