

MOSCOW FARMERS MARKET COMMISSION



Adam Reed
Commission Chair

Regular Meeting
~Agenda~

Jen Piffner
Staff Liaison

<http://www.ci.moscow.id.us/362/Farmers-MarketCommission>

Thursday
January 3, 2019

4:00 PM

City Council Chambers
206 E Third St

Welcome and Attendance

1. Approval Of Farmers Market Commission December 4, 2018 Minutes (ACTION ITEM)

Documents:

[MINFMC20181204.PDF](#)

2. Public Comment (10 Minutes)

Members of the public may speak to the Commission regarding matters NOT on the agenda or currently pending before the Farmers Market Commission. Please state your name and address for the record and limit your remarks to three (3) minutes.

3. Election Of Officers (ACTION ITEM)

Nomination and Election of Chair and Vice Chair.

ACTION:

Nominate and elect a Chair and Vice Chair or provide direction to staff as needed.

4. Market Vendor Fee Discussion (ACTION ITEM) - Amanda Argona

Staff has conducted a review of the fee structure implemented for the 2018 season, provided recommendations to the Fee Sub-Committee and the Commission in December. Additional information and proposals was requested and has been developed for discussion. A packet of information has been included with this agenda as items for reference, as well as projections and breakdowns.

ACTION: Review the proposed fee revision information take such action as deemed appropriate.

Documents:

[2018_FEE SUBCOMMITTEE.PDF](#)

5. Policy Sub-Committee Update (ACTION ITEM) - Amanda Argona

The Policy Sub-Committee has established a meeting schedule and mapped initial revisions to be considered during the review process. The goal of the Policy Sub-Committee is to: eliminate and remove redundancy where necessary; clarify and more explicitly state policies where necessary; discuss revision/additions, all while keeping the policies aligned with the mission and vision of the market.

ACTION: Review current proposed revisions and accept as presented or take such other action as deemed appropriate.

Documents:

[JANUARY 2019 POLICY REVISIONS FOR CONSIDERATION.PDF](#)

6. Market Operations Report - Amanda Argona

Moscow Farmers Market operations update.

7. Proposed Items For Future Agendas

Commission members may email Amanda Argona (aargona@ci.moscow.id.us) to propose future agenda items for discussion.

8. Upcoming Meetings & Events

- Moscow Farmers Market Commission Regular Meeting - February 5, 2019

Adjourn

NOTICE: Moscow City Council and committee meetings are televised, videotaped and/or recorded. Individuals attending the meeting who require special assistance to accommodate physical, hearing, or other impairments, please contact the City Clerk, at (208) 883-7015 or TDD 883-7019, as soon as possible so that arrangements may be made.

MOSCOW FARMERS MARKET COMMISSION



Adam Reed
Commission Chair

~Minutes~

Jen Pfiffner
Staff Liaison

<http://www.ci.moscow.id.us/362/Farmers-MarketCommission>

**Tuesday
December 04, 2018**

4:00 PM

**City Council Chambers
206 E Third St**

The meeting was called to order at 4:00 PM

PRESENT: Jamie M. Hill, Erin Carroll, Linda Heath, David Pierce, Colette DePhelps, Joann Muneta,

ABSENT: Adam Reed, Jenny Ford,

ALSO IN ATTENDANCE: Katheryn Bonzo, Council Liaison; Amanda Argona, Community Events Manager; Davy Frogley, AmeriCorps Programs Coordinator; DJ Scallorn, Arts Assistant;

Welcome and Attendance

Vice Chair Hill called the meeting to order in Chair Reed's absence.

1. Approval of Farmers Market Commission October 2, 2018 Minutes (ACTION ITEM)

Pierce moved that the minutes be approved as presented; Heath seconded approval of the October 2, 2018 minutes. Motion carried.

2. Public Comment (10 Minutes)

Members of the public may speak to the Commission regarding matters NOT on the agenda or currently pending before the Farmers Market Commission. Please state your name and address for the record and limit your remarks to three (3) minutes.

No report.

3. Fee Sub-Committee Update And Recommendation (ACTION ITEM) – Amanda Argona

Staff has conducted a review of the fee structure implemented for the 2018 season. Further review to determine an appropriate recommendation for fees for the 2019 season has also been conducted and shared with the Fee Sub-Committee who met on November 29th.

ACTION: Review the current proposed fee revision and accept as presented or take such other action as deemed appropriate.

The Fee Sub-Committee (Muneta and Reed) met with staff, reviewed the data on fees, and are proposing an increase for 2019 of 4% across all vendor fees. This would calculate out to be a 1% increase to the percentage of the market budget that is offset by the Vendors.

[Bonzo arrived to the meeting]

Argona said along with the fee increase, she was looking into the possibility to give Ag Vendors in tier 3 with 2 or more booth spaces a discount, since the market is a farmers market first. Discussion ensued regarding a need for justification on increasing Vendor fees by 4% and a need for direction from City Council on what percentage range the Vendor fees should offset the market budget.

Carroll moved to return the fee discussion back to Sub-Committee so additional details can be developed and brought back to the Commission. DePhelps seconded. Vote by Acclamation: Ayes: Six (6). Nays: None. Abstentions: None. Motion carried.

[Frogley left the meeting]

4. Policy Sub-Committee Update (ACTION ITEM) - Amanda Argona

The Policy Sub-Committee has established a meeting schedule and mapped initial revisions to be considered during the review process. Three meetings have taken place so far, with the initial meeting attended by the commission members assigned to this Sub-Committee (Linda Heath, Joann Muneta, and David Pierce). The goal of the Policy Sub-Committee is to: eliminate and remove redundancy where necessary; clarify and more explicitly state policies where necessary; discuss revision/additions, all while keeping the policies aligned with the mission and vision of the market. The Sub-Committee has completed its first set of revisions for policies located on page 3 through page 9.

ACTION: Review current proposed revisions and accept as presented or take such other action as deemed appropriate.

The Policy Sub-Committee (Heath, Pierce, and Muneta) met with staff and are proposing a number of changes to the policies. The revisions are edits to verbiage not policy, clarification of current policy, or to remove redundancy. Discussion ensued on how to better edit some sections for clarification.

Hill called for a motion. Pierce moved to accept the revisions as amended. DePhelps seconded. Vote by Acclamation: Ayes: Six (6). Nays: None. Abstentions: None. Motion carried.

5. Discuss Alternate Date For January Commission Meeting

Since the January regular Commission meeting falls on New Year's Day a new meeting day needs to be set. The Commission came to the consensus to meet on January 3, 2019 at 4 p.m. in the Council Chambers.

6. Market Operations Report – Amanda Argona

Moscow Farmers Market operations update.

- Vendor-on-Vendor complaint to be addressed
- Sales Reporting
- Market Footprint Project - Davy Frogley

Argona said a Vendor has voiced concern that another Vendor may not be creating their product. Staff will look into conducting a site visit and investigate as needed.

Vendor sales reports are coming in and the deadline to submit has passed. The current policy on Vendor sales reporting states that Vendors who fail to report their sales will be ineligible for the following market season. Staff is contacting Vendors who still need to report their sales, making them aware of the policy/penalty in emails, phone calls, and letters reminding of the penalty for not reporting sales this season and giving them an opportunity to submit their sales. Discussion ensued regarding the lack of enforcement of this penalty and the grace period given to Vendors in the past. Staff has reviewed this process and has a plan in place to implement this policy and associated penalty.

Amanda reported that Frogley compiled data showing the market footprint and created a map showing which spaces are always filled, which are sometimes filled, and which are mostly always open. The data shows that only a few spaces are left open on Main Street with the majority of open spaces on 5th Street. Staff is looking at ways to expand attendance in 5th Street including the possibility of incentives and limiting the approval at the jury so as not to overfill the market. Argona suggested having the percentage of Ag Vendors revised to apply to the market footprint and not the overall enrolment. Discussion ensued regarding the need of the percentage to prioritize farmers, how the percentage is currently difficult to implement on the ground, and how adding a Vendor mid season who has missed the all Vendor meeting and is not familiar with the policies is disruptive. Argona recommended having farmers subject to a site visit before they are approved to attend the

market (similar to how craft and food products be subject to the jury). Discussion ensued regarding ways to better develop 5th Street including only offering new tier 3 Vendors space on 5th Street and adding signage at the intersection listing the types of Vendors on 5th Street.

7. Proposed Item For Future Agendas

Commission members may email Amanda Argona (aargona@ci.moscow.id.us) to propose future agenda items for discussion.

8. Upcoming Meetings & Events

- Moscow Farmers Market Commission Regular Meeting - January 3, 2019

The meeting adjourned at 5:31 PM

Dear Farmers Market Commission,

As part of the Fee Subcommittee discussion, there are several options that management has been asked to examine for feasibility. In the following pages are items for reference, as well as projections and breakdowns:

- Page 2 – Budget History
- Page 3 – 2018 Fees and 2019 Fee proposals
- Page 4 – Proposed fee structures for 2019
- Page 5 – Examples of fee structures being implemented
- Page 6 – Total cost broken down per day for proposed fees
- Page 9 – Snapshot of 2018 Vendor Roster & category break down (total number of vendors, tier allotment, space sizes, etc.)

Please review this document in preparation for the January meeting.

	2013E	2014E	2015E	2016E	2017		2018B		2018A
Staffing Costs	\$102,394	\$106,663	\$105,814	\$107,150	\$101,515		\$119,225		\$90,729
Programming Costs	\$15,020	\$12,073	\$12,437	\$10,119	\$16,468		\$37,127^		\$10,576*
Commodity/Service Costs	\$9,904	\$8,114	\$8,061	\$7,842	\$12,025		\$8,500		\$18,751
Total Market Costs	\$127,318	\$126,850	\$126,312	\$125,111	\$130,008		\$164,852		\$120,056
Vendor Fee Revenue	\$33,476	\$39,148	\$44,610	\$46,602	\$46,138		\$49,875		\$50,781
General Fund Support	\$93,842	\$87,702	\$81,702	\$78,509	\$83,870		\$114,977		\$69,275
Vendor Percentage	26%	31%	35%	37%	35%		30%		42%
City Percentage	74%	69%	65%	63%	65%		70%		58%
Average Fee Increases*	0%	3%	0%	5%	0%		0%		0%

E-Estimate

B-Budget

A-Actual

Budget philosophy is to budget conservatively.

^Mistakenly listed equipment purchase in Programming Costs rather than Commodity/Service Costs.

*Closer representation to what we budgeted (\$12,000) for Programming

	2019B	2019B	2019B	2019B	2019B
Staffing Costs	\$101,235	\$101,235	\$101,235	\$101,235	\$101,235
Programming Costs	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Commodity/Service Costs	\$29,974	\$29,974	\$29,974	\$29,974	\$29,974
Total Market Costs	\$141,209	\$141,209	\$141,209	\$141,209	\$141,209
Vendor Fee Revenue	\$50,781	\$50,908	\$51,958	\$51,009	\$50,598
General Fund Support	\$90,428	\$90,301	\$89,251	\$90,200	\$90,611
Vendor Percentage	36%	36%	37%	36%	36%
City Percentage	64%	64%	63%	64%	64%
Average Fee Increases*	0%	2%	4%	Incremental increase to registration	\$10 increase to registration

2018	Fees	Tier – 1 (1 – 8 markets)	Tier – 2 (9 – 17 markets)	Tier – 3/Season (18 – 26 markets)
	Annual Registration Fee	\$15	\$50	\$125
	Daily Full Booth Space Fee 11' x 15'	\$30	\$20	\$15
	Daily Shared Booth Space 5' x 15'	\$15	\$12	\$9
	Daily Table Space 3' x 3'	\$10	\$8	\$6
	Daily Electricity <i>Limited outlets, 16 amp max</i>	\$10	\$10	\$10
	Daily Truck Parking	\$25	\$20	\$15
	Daily Corner Space	\$5	\$5	\$5
	Daily Youth Vendor	\$6	\$6	\$6
	Daily Performance Art	\$7	\$7	\$7

2019 Fee Proposals

- 2% Increase – Increase all fees 2% across the board
- 4% Increase – Increase all fees 4% across the board
- Registration only increases
 - Incremental % Increase – Increase registration fees only and incrementally according to Tier. Follows the philosophy the current 2018 philosophy of Tier 1 vendors having the lowest registration fee.
 - Tier 1 – 4% increase
 - Tier 2 – 8% increase
 - Tier 3 – 12% increase
 - Flat \$10 registration Increase – Increase all registration fees by \$10

2019 2% increase	Annual Registration Fee	\$15.3	\$51.0	\$127.5
	11' x 15'	\$30.6	\$20.4	\$15.3
	5' x 15'	\$15.3	\$12.2	\$9.2
	Daily Electricity	\$10.2	\$10.2	\$10.2
	Daily Truck Parking	\$25.5	\$20.4	\$15.3
	Daily Corner Space	\$5.1	\$5.1	\$5.1
	Daily Youth Vendor	\$6.1	\$6.1	\$6.1
	Daily Performance Art	\$7.1	\$7.1	\$7.1
2019 4% increase	Annual Registration Fee	\$15.6	\$52.0	\$130.0
	11' x 15'	\$31.2	\$20.8	\$15.6
	5' x 15'	\$15.6	\$12.5	\$9.4
	Daily Electricity	\$10.4	\$10.4	\$10.4
	Daily Truck Parking	\$26.0	\$20.8	\$15.6
	Daily Corner Space	\$5.2	\$5.2	\$5.2
	Daily Youth Vendor	\$6.2	\$6.2	\$6.2
	Daily Performance Art	\$7.3	\$7.3	\$7.3
2019 incremental registration	Annual Registration Fee	\$16	\$54	\$140
	11' x 15'	\$30	\$20	\$15
	5' x 15'	\$15	\$12	\$9
	Daily Electricity	\$10	\$10	\$10
	Daily Truck Parking	\$25	\$20	\$15
	Daily Corner Space	\$5	\$5	\$5
	Daily Youth Vendor	\$6	\$6	\$6
	Daily Performance Art	\$7	\$7	\$7
2019 \$10 increase registration	Annual Registration Fee	\$25	\$60	\$135
	11' x 15'	\$30	\$20	\$15
	5' x 15'	\$15	\$12	\$9
	Daily Electricity	\$10	\$10	\$10
	Daily Truck Parking	\$25	\$20	\$15
	Daily Corner Space	\$5	\$5	\$5
	Daily Youth Vendor	\$6	\$6	\$6
	Daily Performance Art	\$7	\$7	\$7

Proposals in Action

Below are a few selected examples of how each fee proposal may be implemented with Tier 3 vendors. Not only does it list the potential season invoice, but also includes additional cost by the season (season defined by the vendor's number of market attendances, not necessarily the full 26 weeks), and how much extra money that amounts to a vendor paying per day.

24 days 1 space

2018	2019, 2%	2019, 4%	2019, incremental	2019, \$10
\$485	\$495 \$9.70/season \$0.40/day	\$504 \$19/season \$0.79/day	\$500 \$15/season \$0.63/day	\$495 \$10/season \$0.40/day

19 days 1 space & corner

2018	2019, 2%	2019, 4%	2019, incremental	2019, \$10
\$505	\$514.90 \$9.90/season \$0.52/day	\$524.80 \$19.80/season \$1.04/day	\$520 \$15/season \$0.79/day	\$515 \$10/season \$0.53/day

26 days 2 spaces

2018	2019, 2%	2019, 4%	2019, incremental	2019, \$10
\$905	\$923.10 \$18.10/season \$0.70/day	\$941.20 \$36.20/season \$1.39/day	\$920 \$15/season \$0.58/day	\$915 10/season \$0.38/day

20 days 3 spaces & corner

2018	2019, 2%	2019, 4%	2019, incremental	2019, \$10
\$1135	\$1147.50 \$12.50/season \$0.63/day	\$1170 \$35/season \$1.40/day	\$1140 \$5/season \$0.25/day	\$1139 \$4/season \$0.16/season

Proposals in Action, continued

Below is a table that outlines each proposal and determines exactly what a vendor would pay by the day based on their tier and number of markets they attend. This is the simplest base rate, only taking registration and (1) 11'x15' booth into consideration. The "Difference" is the additional cost that is incurred by the vendor (per attendance day) based on the proposal. The largest variance is shown in Tier 1 vendors. Minor cents discrepancies can be attributed to different calculator rounding (i.e. Formulas in Excel versus manual inputs on a phone).

Total cost broken down per day (registration fee and 11'x15' space)

Tier 1 rates/day	2018	4% increase to Registration	Difference	2% overall increase	Difference	4% overall increase	Difference	\$10 increase to Registration	Difference
1	45.00	45.60	-0.60	45.90	-0.90	46.80	-1.80	55.00	-10.00
2	37.50	37.80	-0.30	38.25	-0.75	39.00	-1.50	42.50	-5.00
3	35.00	35.20	-0.20	35.70	-0.70	36.40	-1.40	38.33	-3.33
4	33.75	33.90	-0.15	34.43	-0.68	35.10	-1.35	36.25	-2.50
5	33.00	33.12	-0.12	33.66	-0.66	34.32	-1.32	35.00	-2.00
6	32.50	32.60	-0.10	33.15	-0.65	33.80	-1.30	34.17	-1.67
7	32.14	32.23	-0.09	32.79	-0.64	33.43	-1.29	33.57	-1.43
8	31.88	31.95	-0.07	32.51	-0.64	33.15	-1.28	33.13	-1.25
Tier 2 rates/day	2018	8% increase to Registration	Difference	2% overall increase	Difference	4% overall increase	Difference	\$10 increase to Registration	Difference
9	25.56	26.00	-0.44	26.07	-0.51	26.58	-1.02	26.67	-1.11
10	25.00	25.40	-0.40	25.50	-0.50	26.00	-1.00	26.00	-1.00
11	24.55	24.91	-0.36	25.04	-0.49	25.53	-0.98	25.45	-0.91
12	24.17	24.50	-0.33	24.65	-0.48	25.13	-0.97	25.00	-0.83
13	23.85	24.15	-0.31	24.32	-0.48	24.80	-0.95	24.62	-0.77
14	23.57	23.86	-0.29	24.04	-0.47	24.51	-0.94	24.29	-0.71
15	23.33	23.60	-0.27	23.80	-0.47	24.27	-0.93	24.00	-0.67
16	23.13	23.38	-0.25	23.59	-0.46	24.05	-0.93	23.75	-0.63
17	22.94	23.18	-0.24	23.40	-0.46	23.86	-0.92	23.53	-0.59

Tier 3 rates/day	2018	2% overall increase	Difference	\$10 increase to Registration	Difference	12% increase to Registration	Difference	4% overall increase	Difference
18	21.94	22.38	-0.44	22.50	-0.56	22.78	-0.83	22.82	-0.88
19	21.58	22.01	-0.43	22.11	-0.53	22.37	-0.79	22.44	-0.86
20	21.25	21.68	-0.43	21.75	-0.50	22.00	-0.75	22.10	-0.85
21	20.95	21.37	-0.42	21.43	-0.48	21.67	-0.71	21.79	-0.84
22	20.68	21.10	-0.41	21.14	-0.45	21.36	-0.68	21.51	-0.83
23	20.43	20.84	-0.41	20.87	-0.43	21.09	-0.65	21.25	-0.82
24	20.21	20.61	-0.40	20.63	-0.42	20.83	-0.63	21.02	-0.81
25	20.00	20.40	-0.40	20.40	-0.40	20.60	-0.60	20.80	-0.80
26	19.81	20.20	-0.40	20.19	-0.38	20.38	-0.58	20.60	-0.79

In 2018, the market had 125 registered vendors. After analyzing the tables below, management does not see a trend or need to keep the table space as an option for vendors. We have already received requests from agricultural vendors for additional spaces for the 2019 season.

	# of Vendors	% of Total Vendors
Tier 1	33	26%
Tier 2	35	28%
Tier 3	57	46%
Agricultural	48	38%
Craft	53	42%
Prepared Food	24	19%
Table Space	2	2%
Shared/Half Space	14	11%
Full Space(s)	109	87%

**Agricultural Vendors
(Fresh Produce and Nursery, Meat/Poultry, Apiarist, Value-Added, Forager)**

	# of Vendors	% of Total Vendors
Tier 1	13	10%
Tier 2	7	28%
Tier 3	28	46%
Table Space	1	1%
Shared/Half Space	4	3%
Full Space	27	22%
1+ Full Space	6	5%
2+ Full Space	10	8%

Craft Vendors (Fine Arts, Heritage Arts, Decorative Arts)

	# of Vendors	% of Total Vendors
Tier 1	17	14%
Tier 2	21	17%
Tier 3	15	12%
Table Space	1	1%
Shared/Half Space	7	6%
Full Space	40	32%
1+ Full Space	4	3%
2+ Full Space	1	1%

Prepared Food Vendors (Processed Foods, Ready to Eat Foods)

	# of Vendors	% of Total Vendors
Tier 1	3	2%
Tier 2	7	6%
Tier 3	14	11%
Table Space	0	0%
Shared/Half Space	3	2%
Full Space	17	14%
1+ Full Space	1	1%
2+ Full Space	3	2%

Policy Revision and Comparison
2019 v. 2018

First Set

5. Market Vendor Space, item a.

- **Original:** Most Market Vendor spaces will be marked as an eleven foot by fifteen foot (11' x 15') space. A Market Vendor's business must be conducted within Market Vendor's assigned space. Market Vendors may not extend beyond the limits of the assigned space or into the pedestrian area at the entrance of the Market Vendor space unless specifically authorized by Market Management. Canopies and umbrellas cannot extend outside a Market Vendor space. Requests for additional adjacent Market Vendor space will be granted at the discretion of Market Manager, where possible. The Moscow Fire Department conducts unscheduled inspections for compliance with relevant safety regulations throughout the Market Season to assure public safety and emergency vehicle accessibility. Market Vendors who use tents must comply with Fire Department safety regulations. See Appendix 3.
- **Revised:** Most Vendor spaces will be marked as an eleven foot by fifteen foot (11' x 15') space. A Vendor's business must be conducted within their assigned space. Vendors may not extend beyond the limits of the assigned space or into the pedestrian area at the entrance of the Vendor space unless specifically authorized by Market Management. Any Vendor utilizing coverings for their space, such as canopies, tents, and/or umbrellas may not extend these items outside their space. Requests for additional adjacent space will be granted at the discretion of Market Manager, where possible. The Moscow Fire Department conducts unscheduled inspections for compliance with relevant safety regulations throughout the Market Season to ensure public safety and emergency vehicle accessibility. Market Vendors who use canopies, tents, or umbrellas must comply with Fire Department safety regulations (see Appendix 3).

6. Market Fee Packages, item e.

- **Original:** Any Vendor scheduled for a Market that will not be able to attend is required to notify the Market Manager in person, by phone, or email on or before the Friday before the Market day that will be missed. Market Vendors who do not notify the Market Manager of their absence will be in violation of policy and subject to penalties as provided in the Policy Violations section of these policies. Refunds are not provided for days canceled or missed.
- **Revised:** The Market does not issue refunds to Vendors for days that are cancelled or missed.

7. Regulation of Certain Activities during Market Operations, item f.

- **Original:** Smoking is prohibited within the boundaries of the Farmers Market during the hours of operation and through the duration of the Farmers Market season, the first Saturday in May through and including the last Saturday in October. Resolution No. 2015-16, .
- **Revised:** All types and kinds of nicotine use, including smoking, vaping in all forms (including nicotine-free vape pens), and chewing tobacco, are prohibited within the boundaries of the Farmers Market during the hours of operation and through the duration of the Farmers Market season. Resolution No. 2018-13.

7. Regulation of Certain Activities during Market Operations, item g.

- **Original:** Only ADA Service Animals, as defined in the Americans with Disabilities Act 2014 final regulations, main thoroughfare of the Moscow Farmers Market (as shown in Appendix 1). Resolution No. 2015-02.

Policy Revision and Comparison
2019 v. 2018

- **Revised:** Only ADA Service Animals, as defined in the Americans with Disabilities Act 2010 final regulations, are allowed throughout the Market boundaries, and are not restricted to the eastern and western sidewalks.. Resolution No. 2018-12.

7. Cleanliness & Waste Management

- **Original:** All Vendors must minimize container waste. Market Vendors are responsible for the set-up, clean-up and safe operation of their Market booth space. State and local health and safety requirements, particularly those in the food area of the Market, will be enforced by the Market Manager and/or the Health Department. Market Vendors should have their own receptacles/bags to manage waste, then must take with them at the end of the Market day. Failure by a Market Vendor to remove waste will result in violation of Market policies and subject to penalties as stated in Appendix 4. The waste receptacles in the Market are for use by Market customers and should not be used by Market Vendors for waste at the end of the Market day. The dumpsters in the Jackson Lot are privately owned and are not for Market use. Vendors are required, when applicable, by Idaho State law to deposit grey water waste in the receptacle provided at the Market. No grey water or other waste water, fat, grease, oil, or other liquid shall be placed in the gutter or in a City storm-water catch basin or other City water collection system. Note: the City will provide grey water dump stations for use by Vendors. Vendors must take with them their non grey water waste at the end of Market day.
- **Revised: Public Health Management.** To ensure the Market is creating a safe and non-hazardous environment to the public, all vendors will abide by the following public health measures:
 - a. **Waste Management.** Vendors are responsible for the set-up, clean-up and safe operation of their assigned space. Vendors will provide their own receptacles/bags to manage waste, then must take with them at the end of the Market day. Waste receptacles in the Market are for use by Market customers and should not be used by Vendors for their waste. The dumpsters located throughout the downtown area are privately owned and are not for Vendors' use.
 - b. **Health Regulations.** The Idaho Public Health Department conducts unscheduled inspections for compliance with relevant health and safety regulations throughout the Market Season to ensure public safety and adequate health practices. The Market Manager and/or a Public Health Department representative will enforce applicable state and local requirements and have the authority to stop the sale of any items that are in violation of these regulations.
 - c. **Grey Water.** Vendors are required, when applicable, by Idaho State law to deposit grey water waste in the receptacle provided at the Market. No grey water or other waste water, fat, grease, oil, or other liquid shall be placed in the gutter or in a City storm-water catch basin or other City water collection system. The Market provides grey water dump stations for use by Vendors. Vendors must take with them their non-grey water waste at the end of Market day.

5. Generators

- **Original:** In efforts to minimize noise and exhaust pollution, generators may not be in use during Market operational hours (5:00 a.m. – 2:00 p.m.)
- **Revised:** The Market does not allow the use of generators during operating hours.

11. Annual Gross Sales Reporting

- **Original:** All Market Vendors are required to report their Annual Gross Sales by November 15th, immediately following the current Farmers Market Season, utilizing the online management software they register with. Failure of Market Vendors to report Annual Gross Sales, as required under this Policy, will result in said Vendor being disqualified to participate in the following

Policy Revision and Comparison
2019 v. 2018

Market Season. This information will be kept confidential and be used for future grant proposals and economic impact data collection.

- **Revised:** All Vendors are required to report their Annual Gross Sales by the third Wednesday in November utilizing the online management software they register with, or via paper format. Individual vendor information will be kept confidential by Market Management. Aggregate data will be used for future grant proposals and economic impact data collection. ***Failure of Market Vendors to report Annual Gross Sales, as required under this Policy, will result in said Vendor being disqualified to participate in the following Market Season.***

12. Idaho Sales Tax Reporting

- **Original:** Market Vendors must complete an Idaho Sales Tax Form ST-124 as required by the Idaho State Tax Commission. If you have questions, contact the Department of Revenue and Taxation, Idaho State Tax Commission (208) 799 3491. The State Tax Commission reserves the right to perform unscheduled inspections for tax compliance throughout the Market Season. All Market Vendors are required by law to have a copy of Form ST-124 in their Vendor space at all times.
- **Revised:** Vendors must complete an Idaho Sales Tax Form ST-124 as required by the Idaho State Tax Commission. All Vendors are required by law to have a copy of Form ST-124 in their assigned space at all times. The Tax Commission reserves the right to perform unscheduled inspections for tax compliance throughout the Market Season.

14. Permits and License Requirements

- **Original:** All Vendors shall provide, at the time of application, current copies of any permits and licenses applicable and necessary for the sale of their products. Specific requirements related to the Fire Department, sampling, and other common permits, can be found in Appendix 3 – Fire Inspection Requirements and Appendix 5 – Permits, Resources & Contacts.
- **Revised:** All Vendors shall provide, at the time of application, current copies of any permits and licenses applicable and necessary for the sale of their products. For a list of permits and licensing resources, please refer to Appendix 5.

15. Certifications

- **Original:** All Market Vendors presenting products as 3rd party certified, such as organic or certified naturally grown, etc. shall include the authorized certification form with their Market Vendor application, unless otherwise exempt under Idaho Code. Certification will be checked for compliance by the State that granted certification. Certification shall be posted in the Market Vendor's space at all times. Vendors not in compliance may constitute a violation of policy. They will be required to remove signage stating the certification(s) and may be subject to the terms of policy violation. See Appendix 5 – Resources & Contacts for contact information to learn more about organic certification.
- **Revised:** **Third Party Certifications.** All Vendors presenting products as 3rd party certified, such as organic, Certified Naturally Grown, etc. shall include the authorized certification form with their Vendor application. Certification will be checked for compliance with the certifying entity or organization. Vendors not in compliance with their certification requirements, or cannot produce a current certification will be required to remove signage stating the certification(s).

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17. Approve Market Vendor Substitution—Move to Tier 3 fee package as “benefit”

18. Non-Attendance (new number 17.)

- **Original:** Market Vendors are required to call or email the Market Manager on or before the Friday before the Market day that will be missed. If illness or emergency forces non-attendance, the Market Vendor must contact the Market Manager as soon as they are able (see appendix 5). Market Vendors who do not notify the Market Manager of their imminent absence will be in violation of policy and subject to penalties as provided in the Policy Violations section of these policies.
- **Revised:** Vendors are required to call or email the Market Manager on or before the Friday before the Market day that will be missed. If illness or emergency forces non-attendance, the Vendor must contact the Market Manager as soon as they are able.

Second Set

19. Setup (new number 18.)

- **Original:** Setup may begin at 5 a.m. Vendors are to utilize 5th Street as the entrance, pull into their space, unload their items to the sidewalk, exit via 3rd street or 6th street, park their vehicle a minimum 2 city blocks away from the Market (parking is available at Moscow City Hall). Vendors can then return to their space to begin setting up for the Market. Large vehicles and trailers should arrive early to allow sufficient time for unloading during setup. Vendors must allow for traffic flow and may not block the main thoroughfare. 5th Street will be closed to all vehicles at 7:15 a.m. Market Vendors must be in their assigned Market Vendor space and be unloaded by 7:30 a.m. on Market day. If not in compliance, the assigned Market Vendor space may be forfeited. All vehicles must be off Main Street by 7:30 a.m., unless otherwise specifically allowed by the Market Manager. Vendor parking is available in the City Hall lot and the adjacent Jefferson lot. All tents must be placed as close to the adjacent curb as is physically possible, unless specifically authorized by the Market Manager. Reference appendix 3 for setup safety requirements.
- **Revised:** Setup may begin at 5 a.m. Vendors are to enter on 5th Street, pull into their assigned space, unload their items to the sidewalk, and exit via 3rd street or 6th street. Vendors will park their vehicle a minimum 2 city blocks away from the Market (parking is available at Moscow City Hall). Once a Vendor's vehicle is parked, they can then begin setting up their space for the Market. **Large vehicles and trailers should arrive early to allow sufficient time for unloading during setup.** Vendors must allow for traffic flow and may not block the main thoroughfare. 5th Street will be closed to all vehicles at 7:15 a.m. Vendors must be in their assigned space and be unloaded by 7:30 a.m. All vehicles must be off Main Street by 7:30 a.m., unless otherwise specifically allowed by the Market Manager. All tents must be placed as close to the adjacent curb as is physically possible, unless specifically authorized by the Market Manager to do otherwise.

Commented [AA1]: To Do: Develop a map that features acceptable parking areas for Vendors. (Please refer to Appendix “X” for a preferred Parking spaces).

20. Takedown (new number 19.)

- **Original:** Market Vendors may stay in their Market Vendor's space until 1:00 p.m. The City requires that the Market Location be completely vacated by the Market and its Market Vendors by 2:00 p.m., ensuring that the Market Location and parking can be available to the public. Market Vendors should use extreme caution when exiting. Market Vendors requiring early departure must inform the Market Manager of plans for early departure and must carry goods, supplies and equipment out of the Market Location without using a vehicle. No vehicle may enter or leave the Market Location until after 1:00 p.m. unless directed to do so by the Market Manager, a peace officer, or an emergency services provider in the course of their employment. Vendors must begin disassembling their booth to the sidewalk by no later than 1:00 p.m. once readied for loading, Vendors may then retrieve their vehicle. Vendors must allow for traffic flow

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and may not block the main thoroughfare. Vendors with large vehicles and trailers are encouraged to allow their neighbors to vacate prior to loading their vehicle in order to keep traffic flow as open as possible. Vendors may continue loading their items from the sidewalk after 2:00 p.m. if their vehicle is off Main Street, in the parking stall, and facing the direction of traffic flow.

- **Revised:** 5th Street will remain closed to Vendor traffic until 1:10 p.m. to ensure the safety of any children and patrons who may still be in the main thoroughfare. During this time, Vendors may begin to disassemble their space and move items to the sidewalk before retrieving their vehicle. ***Vendors shall not retrieve their vehicle before items are ready to be loaded.*** No vehicle may enter or leave the Market Location unless directed to do so by the Market Manager, a peace officer, or an emergency services provider. Vendors must allow for traffic flow and may not block the main thoroughfare. Vendors may continue loading their items from the sidewalk after 2:00 p.m. if their vehicle is off Main Street, in the parking stall, and facing the direction of traffic flow. The City requires that the Market Location be completely vacated by Vendors and made available to the public by 2:00 p.m.

20. Early Departure/Selling Out (NEW ITEM): Vendors requiring early departure must inform the Market Manager and obtain permission prior to leaving. Vendors must carry goods, supplies, and equipment out of their assigned space without using a vehicle. Vendors that sell-out are encouraged to remain in their assigned space, but may pack-up items and carry them out without the use of a vehicle.

21. Vendor Space Walk-Through.

- **Original:** All Vendors are subject to a Market space walk-through by the Market Manager and/or members of the Farmers Market Commission. The purpose of the on-site walk-through is to ensure all Vendors are current on required permits and licenses and also to inspect the Vendor's goods and operations. Vendors will be notified of any policy and/or procedure violations and will be required to correct any violation as directed by the Market Manager. Failure to allow an on-site walk-through is grounds to revoke Vendor's ability to participate in Moscow Farmers Market.
- **Revised:** All Vendors are subject to a Market space walk-through by the Market Manager and/or members of the Farmers Market Commission acting in an official capacity. The purpose of the on-site walk-through is to ensure all Vendors are current on required permits and licenses and also to inspect the Vendor's goods and operations (see items 8, 9, & 10; page VIII). Vendors found to be violating Market policies will be subject to penalties.

22. Resale Produce.

- **Original:**
 - a. No wholesale or resale products of any kind are allowed except for the following: if approved in advance by the Market Manager, Produce Vendors may resell blueberries and/or asparagus grown within two hundred (200) air miles from the City of Moscow, Idaho. The Market Manager has discretion for Vendors to provide for resale of blueberries and/or asparagus grown outside two hundred (200) air miles from the City of Moscow, Idaho. Such Vendors must display a sign which will be provided by the City stating they are authorized to resell these items and the name and location of the farm where the items are obtained. Farms supplying blueberries and asparagus will be held to the same site visits, standards, and guidelines as current Produce Vendors.

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- **Revised:**

- a. Reselling of any product is strictly prohibited. If approved in advance by the Market Manager, Agricultural Vendors may resell blueberries and/or asparagus grown within two hundred (200) air miles from Moscow, Idaho. Approved Vendors must display an "Authorized Reseller" sign, which will be provided by the Market, stating the name and location of the farm where the items were obtained. Farms supplying blueberries and asparagus to be resold at the Market will be held to the same site visits, standards, and guidelines as current Agricultural Vendors.

Policy Violations

- **Original:** The purpose of penalties imposed upon those who do not conform to Market Policies is to encourage communication between Market Vendor(s) and Market Management to correct the action so that the Market Vendor, where possible, can continue to sell goods within the Market. Penalties are cumulative whether the same policy has been violated multiple times or multiple policies violated multiple times. Nothing related to Farmers Market penalties shall affect, in any way, other laws and/or regulations with which Market Vendors must comply (e.g., health, tax, police, fire, etc.). Upon receipt of any penalty, the Market Vendor shall be required to communicate with the Market Management in order to discuss the action which made the basis of the penalty and consider ways to change that complies with the Market Policies.

Note: No Market Vendor will be allowed to participate in the Market after receiving any penalty until after the Market Vendor communicates with the Market Management. Where the Market Vendor believes the penalty imposed is based upon inaccurate or incomplete information or would constitute an unfair action if imposed, the Vendor may use the appeals process listed on the following page.

- A written explanation of any discipline of a Market Vendor for failure to abide by Market rules shall be given to the Market Vendor by the Market Manager within a reasonable timeframe of the action or report of the action. (Appendix 4 – Moscow Farmers Market Notice of Policy Violation).
- Upon receipt of the written explanation, the Market Vendor will be provided an opportunity to be heard by the Farmers Market Commission orally or in writing before any expulsion or termination from the Market

Consequences of the Penalty

- **First Penalty.** A verbal and written warning shall be given to the Market Vendor and Market Vendor shall meet with the Market Manager to review the deviation from Market Policies and to discuss a change in behavior to avoid further deviations
- **Second Penalty.** Prohibition of the Market Vendor from selling goods for at least one (1) Market day (commonly the Market day immediately following receipt of the Second Penalty).
- **Third Penalty.** Prohibition from participating in the Market for the remainder of the Market Season. The Market Vendor must discuss actions and correction plan with The Moscow Farmers Market Commission for approval to return to any future season.

Appeals Process

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If Vendor has been found in violation of Farmers Market Policies by the Market Manager, said Vendor may appeal the Market Manager's decision to the Assistant City Supervisor by filing a written contest containing a detailed statement of the alleged violation and a detailed reasoned statement as to why the subject of the violation did not violate the Farmers Market Policies.

Any aggrieved Vendor who has been penalized for an alleged violation of the Farmers Market Policies by Market Manager and/or Assistant City Supervisor may appeal the decision within five (5) business days of violation as follows:

Any decision on the appeal will be rendered within five (5) business days. Vendor can only appeal the alleged violation one (1) time, and the decision rendered by the Market Manager or Assistant City Supervisor shall be final.

- **Revised:** Unless explicitly stated, violation of any policy will be subject to the penalties outlined below. The purpose of penalties is to encourage communication between Vendor(s) and Market Management to correct the action so that the Vendor, where possible, may continue to sell goods within the Market. Penalties are cumulative whether the same policy has been violated multiple times or multiple policies violated multiple times. Nothing related to the Market's penalties shall affect, in any way, other laws and/or regulations with which Vendors must comply (e.g., health, tax, police, fire, etc.).
 1. **Penalties.** All penalties will be issued via a carbon copy format; one for the Vendor's records, and one for the Market's records.
 - a. **First Penalty.** A verbal warning shall be given to the Vendor. Vendor and Market Management shall reach an agreement the day the violation occurred for the Vendor to change the behavior to avoid future deviations.
 - b. **Second Penalty.** A written warning shall be given to the Vendor. Vendor will provide Management a written email or letter that states how the Vendor will correct the behavior. Failure to receive a statement from the Vendor will result in a forced absence for the next market attendance.
 - c. **Third Penalty.** A \$50 fine will be imposed upon the Vendor. Failure to remit payment will result in the Vendor being prohibited from attending market until the fine is paid.
 2. **Appeals Process.** If a Vendor has been found in violation of Market Policies and where the Vendor believes the penalty imposed is based upon inaccurate or incomplete information or would constitute an unfair action if imposed, the Vendor may use the appeals process.
 - a. Vendor(s) who have been issued a penalty for an alleged policy violation may appeal the decision within five (5) business days of the violation.
 - b. Appeals must take the format of a written statement, detailing the reasons as to why the Vendor did not violate the policy. Statements must be addressed to the Assistant City Supervisor.
 - c. Vendor(s) may only appeal the alleged violation one (1) time.
 - d. Any decision regarding the appeal will be rendered within five (5) days of receiving the appeal and shall be final.
 3. **Egregious Behavior and Offense.** In the cases of a Vendor(s) acting in threatening or belligerent behavior, Management has the right to cease sales for the remainder of the market and have the Vendor be dismissed early from Market. Management will issue

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a penalty and present a case of expulsion or termination from the Market to the Farmers Market Commission. Vendor will be provided an opportunity, either orally, or in writing, to state their case.