

OFFICE OF THE CITY MANAGER  
DES MOINES, IOWA

CITY COUNCIL COMMUNICATION 96-243  
JUNE 17, 1996 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
STREET VENDORS	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	STEVE GUNSON CITY MANAGER'S OFFICE

**SYNOPSIS —**

Staff has prepared an ordinance which would regulate food vendors on City streets and property.

**FISCAL IMPACT —**

An initial application fee of \$110, and an annual fee of \$10 per vehicle, is proposed. It is anticipated that this would result in only minimal revenue to the City.

**BACKGROUND —**

At the March 18, 1996 meeting, by Roll Call No. 96-1066, the City Council voted to receive and file a proposal from Council Member Vlassis to permit food vending on City streets and property. The matter was referred to staff for review and recommendation.

On May 6, 1996, by Roll Call No. 96-1727, the City Council voted to receive and file a draft ordinance which staff had prepared; the Council also directed staff to conduct a public meeting to solicit input and comments from the general public. This meeting was held on June 5, 1996; announcements were sent to 32 businesses which could potentially be affected by this ordinance, and a news release was sent to the local media. The meeting was attended by citizens both in favor and in opposition to the ordinance. (A copy of the newspaper article reporting the meeting is attached.)

On May 14, 1996, the Traffic Safety Committee reviewed the draft ordinance and unanimously passed a motion that opposes mobile vending due to car-pedestrian safety issues. The committee stated its consensus that, if the ordinance is enacted, the maximum speed limit should be 25 MPH. This speed limit is incorporated into the proposed ordinance.

The final draft of this ordinance is now presented for Council's consideration.

Attachment

# CITY/SUBURBS

## A TOURIST ATTRACTION?

# Ice cream idea gets a cool reception



**Jim O'Callaghan**  
*Denounces proposal*

By **CHRIS OSHER**  
REGISTER STAFF WRITER

A proposal to bring mobile ice cream vendors back to Des Moines sparked high emotions Wednesday, with opponents predicting that such a move eventually would cause fatalities and a lone supporter claiming it would increase tourism.

The city banned such vendors after a 9-year-old girl was fatally injured in 1967 when she was hit by a car after buying ice cream from an ice cream truck.

The City Council, at the request of Councilman Tom Vlassis, is scheduled to consider lifting the ban at a meeting June 17. City staff members solicited comments from the public Wednesday.

Jim O'Callaghan, the father of the girl who died, denounced the propos-

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— Jim O'Callaghan

al to allow the vendors back in the city.

“Why go back 30 years and have another death?” O'Callaghan asked members of the city staff. “I don't want my daughter to have died in vain. That's all her death was worth, to protect other children.”

Barb Briggle, who was a classmate of the girl, pleaded for the ban to continue.

She recalled the day her friend

died and how ice cream trucks create “almost a panic situation among kids as they scatter for a dime.”

She added, “Children are not thinking of safety when they want that ice cream.”

Three owners of Dairy Queen restaurants also spoke out against allowing the ice cream vendors, saying such a move would risk the lives of children.

But Paris Daniels, who wants to run a fleet of three trucks that would sell ice cream treats in Des Moines, said the activity can be regulated in such a way to make it safe.

She added that the ice cream trucks would attract tourists to Des Moines and give the children who live here some hope in a time of despair.

“It will revitalize some community spirit that now is on the verge of being lost in Des Moines,” she said.



**Barb Briggle**  
*Supports ban*