

## STRATEGIC PLANNING

Tuesday, July 7, 2020 – 5:30 p.m.

Council Chambers – Olean Municipal Building

Present: Members: Chairman Crawford, Vice Chairman Dougherty, Alderman Witte, Alderman Gonzalez, and Alderman DaPolito. Others: Alderman Panus; Alderman Anastasia; Mayor William Aiello; Bob Ring, Director of Public Works; Kris Shewairy, Youth and Recreation Program Coordinator, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

### 1. Roll Call

Alderman Crawford called the meeting to order at 5:30 p.m. and asked that the record show that all committee members were present.

### 2. Approval of Minutes of the Previous Committee Meetings (Tuesday, May 19, 2020)

A motion to approve the minutes of the May 19, 2020 meeting was made by Alderman Crawford, seconded by Alderman Witte. Voice vote, ayes all. Motion carried.

### 3. Unfinished Business

None

### 4. New Referrals for Consideration

- a. PL #37-20: (Dougherty) To amend the City of Olean Code of Ordinances Section 5-1, subsection (4) to amend setback requirements for fowl within the limits of the City.

Alderman Dougherty explained that this was previously discussed in committee, and that the proposed formal verbage was sent out last Friday. He explained that the City's current limitations on the setbacks for keeping a coop are that it has to be fifty feet from the property line and fifty feet from any dwelling, which eliminates a large section of the City. He explained that he looked at the requirements in Buffalo and New York City, and he found that New York City was the most lax when it comes to owning chickens in the city. He explained that there is a lot of literature about raising chickens in the City out there, and New York City actually promotes this.

Alderman Dougherty explained that Buffalo has limitations that requires that a coop must be kept at least ten feet from a dwelling window, five feet from the side property line and eighteen inches from the rear property line. He explained that he wants to change the City Code to allow for a coop to be kept twenty feet from any dwelling other than the owner's

dwelling, and five feet from the property line. He explained that this will allow people to keep chickens in the City legally, and he noted that there is already wording in the Code to require that coops be maintained and clean.

Alderman Dougherty explained that chickens primarily eat insects, which is a benefit. He explained that he planned to have a guest speaker tonight but that he was unable to attend. He explained that he can attend in a couple of weeks to explain the benefits of chickens to the Council and answer any questions that they may have. He noted that in the meantime, he would like to get this out of committee so that the wording for the Code change can be published as required prior to a vote.

Alderman Witte explained that she feels that there should be a limitation on how many chickens can be kept on one property. She feels that if you leave it open, eventually someone will have too many. Alderman Dougherty responded that the legislation can be amended before leaving committee, and right now there are no limitations in the Code. He explained that a lot of the people that have chickens now feel that there is a six chicken limitation, but there is not. He explained that six sounds like a lot of chickens but even twelve is not a lot for a small, confined space. He explained that it depends on the lot. A former Alderman has a very large lot and is well within the limitations currently set forth by our Code, and he believes he has around 12 chickens.

Alderman Gonzalez asked if there should be a limitation on the number of chickens based on the lot size, and Alderman Dougherty asked if a number should just be placed as a limitation, regardless of the size of the lot. He explained that a chicken typically lays one egg a day, and in the winter conserves their resources and lays one every other day or every three days.

Alderman DaPolito asked if there is a difference between egg laying chickens and chickens that you eat. Alderman Dougherty explained that genetically some chickens are bred to put on more weight faster to be eaten. Alderman DaPolito asked if that is something that we need to specify. He asked as well if we need to get into turkeys, ducks, and things like that, or specify only chickens in the Code. Alderman Dougherty explained that the Code currently lists "fowl", and Alderman DaPolito responded that is a pretty loose term. Alderman Dougherty explained that he is just looking to change the verbiage for the setback requirements. He explained that he has not received any questions or complaints about ducks, while he has received questions regarding chickens. He explained that whether you're raising chickens for meat or eggs, he doesn't see much of a difference. He doesn't hear about residents butchering chickens in their front yards.

Alderman Witte asked when owning chickens becomes a business. Alderman Dougherty explained that selling eggs is a business, and Alderman Witte asked if the City has a permit for

that. Alderman Dougherty explained that this is a part of the Agriculture and Markets Law, but he doesn't believe that there is enough space on any City residential property for Ag and Markets to allow a business.

Alderman Anastasia asked if people have been asking to keep chickens in the City, and Alderman Dougherty explained that Code Enforcement has been getting more calls about raising chickens than they normally do since Coronavirus hit. Alderman Anastasia asked if we are limiting chickens to certain zoning districts, and Alderman Gonzalez responded that he doesn't know if the Council wants to get into changing the Code like that.

Alderman Crawford explained that he is all for simplifying the Code and making it more user friendly. He explained that we just need to nail down the requirements. He explained that in his ward, there are very small properties that are right next to each other. If requirements are loosened too much, he feels that it will create neighbor issues and disputes, and it might become a nuisance. HE explained that the Council should really hammer out what is a reasonable distance.

Alderman Dougherty noted that he doesn't feel that the City is currently having issues with other types of fowl. He explained that he is proposing allowing a coop five feet from the property line and twenty feet from a dwelling other than one belonging to the owner of the fowl. He explained that he has canvassed neighbors of those who have chicken coops right on the property line, and they would be willing to sign a waiver allowing the owner closer to a dwelling or property line. He also proposes wording in the Code that would allow for a waiver from neighbors to allow distances to be decreased. Alderman Gonzalez asked if the owner of the chickens could have them as close to their own dwelling as they wanted, and Alderman Dougherty responded that they can, because technically in the current Code, you can't even build a coop abutting up to your garage.

Alderman Panus explained that he has recently seen coops that are light and that people move around. He explained that it is a little house that is caged in, and the owner moves it around and they chickens eat whatever they eat and it can be moved around the yard. He explained that it looked fine and simple to take care of.

Alderman Witte explained that she would like to change the wording from "fowl" to "chickens". Alderman Gonzalez explained that we are already allowing any type of fowl, and Alderman Witte responded that she would like to tighten up this wording. Alderman Gonzalez explained that he feels that the change would be going down a path that he doesn't think we should right now. Alderman Panus explained that he would not be in support of regulating anything more than what we've been asked to regulate. Alderman Crawford explained that he could support this is if was an issue, but he has never heard of other types of fowl being an issue in the City.

Alderman Panus explained that he feels that the issue that he's seen is that the setbacks are too large, and this would bring the current chicken owners into compliance.

Alderman Anastasia asked if this will be published before the vote, and explained that he would love to hear what the public has to say. Alderman Dougherty explained that he would love to see this voted out of committee, and will have a guest come in to discuss this in the meantime before a vote. Alderman Crawford explained that he thinks that it would be great to have an expert come in, He explained that we are voting on something that may have health ramifications, and he wonders if it is okay to have chickens right next to your property.

Alderman DaPolito explained that if you have chickens you are inviting coyotes and foxes into the community. Alderman Gonzalez explained that we already allow them in the City, and Alderman DaPolito responded that you are inviting more. He explained that he has already made up his mind.

Alderman Crawford explained that he would like to see this guest come in to discuss this with us. Alderman DaPolito explained that someone had approached him about raising chickens, and Alderman Dougherty explained that he is sure that less than half the people that raise them have called to find out about the laws, People just go to Tractor Supply and get chickens.

Mayor Aiello explained that he is thinking about the calls that the Mayor's Office is going to get, and he worries about roosters. Alderman Dougherty explained that the gender of the fowl is not currently specified in the Code. Alderman DaPolito explained that you are going to invite more coyotes and foxes into the City, and he wonders is we are going to be able to enforce this. Alderman Dougherty explained that right now, Code Enforcement doesn't get any complaints about chickens, and only gets calls from people asking if they can have them. Alderman Witte noted that she used to get calls about chickens walking down Genesee Street.

A motion to approve PL #37-20 and refer it to the regular meeting Tuesday, July 28, 2020 was made by Alderman Dougherty, seconded by Alderman Gonzalez. Voice vote, ayes all except Alderman DaPolito, who voted nay. Motion carried. Referred to Regular Meeting Tuesday, July 28, 2020.

b. Discussion Items

i. Award of Fluorination / Well House Improvements Project (Ring)

Mr. Ring explained that this is an active water project that we have discussed a number of times. He explained that the State is funding the project, and the Department of Health requires the City to add fluoride to its well houses now. He explained that they are helping pay the costs, and are covering the cost one hundred percent to fund the building addition to the

well house to add a fluoride tank. He explained that he has been working with a consultant to bid out the project, and an award letter has been written to Kinley Construction. He explained that next Tuesday, the Council will vote to award the project to Kinley Construction and then the project will start in the next several weeks and be completed by March 2021. He noted that there really won't be any issues or outages for residents in the City when the work is being done.

Alderman Witte asked if Kinley Construction was the lowest bidder, and Mr. Ring responded that they are. Alderman Crawford asked if this is one hundred percent grant funded, and Mr. Ring responded that it is. He explained that the Council did allot money at the end of the budget last year for other work including electrical and paving work. He noted that the City will be doing this work in house.

Alderman Crawford asked if it is a state mandate that we have fluoride in our water, and Mr. Ring responded that he believes that it is but he doesn't know for sure. He explained that he knows that the well houses didn't have fluoride injection, and now they will, so he assumes that they were grandfathered in. Alderman Crawford explained that he thought that we had fluoride in our water, and Mr. Ring responded that we do at the plant, but not at our wells. He explained that most of the water is pumped to the reservoirs and well water is mixed with plant water, so that is how it is currently disbursed.

#### ii. Allegheny River Trail Agreement with Town of Allegheny (Aiello)

Mayor Aiello explained that this will be a resolution on next Tuesday's agenda to allow him to sign an agreement with the Town of Allegheny for the Trail. He explained that the City has had a maintenance agreement on the trail since April 18, 1997, so this has been going on for a long time. He explained that the two municipalities began to redo the agreement and update it, but then the Town Supervisor John Hare passed away so it was put on the back burner. He explained that there is now a new Town Supervisor, so he would like to move forward.

Mayor Aiello explained that the agreement requires that the City provide \$1,750 to assist in costs for maintaining the trail, and that the Town does most of the mowing. He explained that there is also a part of the agreement that requires that the City provide \$1,750 towards the cost of needed equipment, such as a new mower. He explained that he sent the agreement to the Council to review.

Alderman Crawford asked if there are changes from the last agreement, and Mayor Aiello explained that there is a small change in what the City is paying. He explained that the agreement is periodically looked at and that the City's cost has gone up over time. He noted that he would like to formalize this agreement. Alderman Crawford asked if there is no

expiration date and if it is just reviewed periodically, and Mayor Aiello responded that this is correct.

### iii. City-wide Survey (Aiello)

Mayor Aiello explained that in light of everything going on, the intent of the Town Hall meetings that he is hosting is to try and reach out to get more comments, and he has a feeling that we can get more. He explained that he is proposing a short survey of maybe ten questions, which he will need the Council's help with, to be sent out to as many people as possible in the City.

Mayor Aiello explained that the survey can be done in several ways, including an online version and hard copies for those who don't use computers. He explained that he would like to get information from people who aren't going to meetings, and who aren't vocalizing their ideas or feelings.

Alderman DaPolito asked what the proposed cost would be, and Mayor Aiello responded that it would be minimal. He explained that he feels that it will be less than \$1,000. Alderman Gonzalez explained that he is sure that it will be less than that, and Mayor Aiello explained that surveys will only be mailed out if they are requested. He explained that one suggestion was to put them in water bills, but people don't look at things in their water bills now. He explained that he is going to need everyone's help on how to construct the survey and what questions to ask.

Alderman Dougherty asked how the survey would get out to people if it is online, and Alderman Gonzalez responded that there should be a link on the City's webpage. Alderman Dougherty asked about the elderly population who doesn't use computers, and Mayor Aiello explained that a press release will go out, and they can contact us for a hard copy. He noted that the Chamber of Commerce will help the City with their resources to get the survey out to people, as well as ministers in the area.

Alderman Dougherty asked how you prevent non-City residents from taking the survey, and Mayor Aiello responded that he thinks that there is a way for the website to request the individual's address. He explained that there is a concern that people would take it outside of the City, and Alderman Dougherty explained that their opinions are invalid in this case, Mayor Aiello explained that we can look into this and see what we can do. Alderman Gonzalez explained that just because they aren't City residents doesn't mean that they aren't stakeholders or they don't care.

Alderman Crawford explained that in a survey, he thinks that it is always a good idea to get a good group of opinions and a larger group of ideas. He explained that those who are in the City are not a majority of demographics, and we need to be cognizant that probably the vast

majority of people in Olean will say that it is not a problem. He explained that this doesn't mean that someone's voice is wrong, but it may be beneficial when conducting the survey to add some demographic identifiers to see where the issues are, and to better understand what people's concerns are. Mayor Aiello explained that every taxpayer in the City has a right to voice their opinion, and Alderman Gonzalez explained that this isn't a referendum, and he agrees completely. If we poll the whole City problems might only be in a small percentage of responses, but that doesn't mean that they aren't real problems and there isn't actual intelligence and data to get from the survey. If there are any issues, then they are worth dealing with.

Alderman Dougherty explained that we need to make sure that we are collecting accurate data. He explained that two or three weeks ago, if we have public comment and it's only people who are angry about chickens, people who are happy about chickens probably aren't there. He wants the Council to recognize that it may only be the people with problems who take the survey.

Alderman Witte explained that the Council was talking about a task force or committee, and she thinks that questions need to come from not just the Council, but that they need to be formed in conjunction with the public as well. Alderman Gonzalez explained that there is something to be said with any survey, not just City-wide, that the content and type of questions, the wording of the questions is crucial. Mayor Aiello explained that this is where the Aldermen come in. They need to listen to constituents to get ideas.

Alderman Crawford asked if there is a time frame on the survey, and Mayor Aiello explained that there are two more town hall meetings, and he believes that in the next two to four weeks we can establish what we want to do with the survey and get them out. He explained that if we are going to have change in our community that the only way that it is going to work is if the city collects data and comments, and to go about this not in a knee jerk reaction. He explained that we want to have long term sustainability in our plan. We need to move at a constant pace and not make snap decisions. We have to make intelligent, non-political decisions to move Olean forward.

Alderman Anastasia asked if we have gotten any guidance from NYCOM, and Mayor Aiello responded that we have not. Alderman Witte asked if we have gotten an outline of what we should be doing from the State, and if there is any guidance on what they want us to do. Mayor Aiello responded that it is in the Governor's message, which he will get out to the Aldermen.

#### iv. Miscellaneous

Alderman Gonzalez explained that a few years ago when the plans were being put into place for the Farmers' Market and North Union Street was being worked on, the Council discussed some

kind of LED sign somewhere in the City like the one in front of the Credit Union. He explained that he feels that it was cast aside at the time because of budget concerns. Mayor Aiello and Alderman Crawford recalled the conversation. Mayor Aiello explained that it is again being discussed, and that there is a possible opportunity with DRI money for North Union Street to put a sign in the City. He explained that there is \$300,000 in funding for that and part of the project is wayfinding and signage, so there may be an opportunity to put a sign in across the street at Lincoln Park or in front of the Municipal Building. Alderman Gonzalez asked if that is the DRI project for sidewalk improvements as well on North Union Street, and Mayor Aiello responded that it is. He explained that it is in the design state, and that Mr. Ring will be coming to the Council with a plan for that in the future. Alderman Gonzalez explained that he can't imagine what it would cost, and Mayor Aiello noted that when it was priced for Bradner Stadium it was between \$65,000 and \$70,000. He will look at pricing and get back to the Council.

Alderman Crawford asks why he brings this up, and Alderman Gonzalez explained that he saw a sign like this on Facebook and that he thinks it is a good idea. Mayor Aiello explained that it was discussed when the poles that allowed a sign to hang across the street came down. He explained that it could be a good tool to advertise events or snow events, or even street sweeping. He noted that the Council needs to work on changing the street sweeper schedule in the future.

#### 5. Approval of Committee Reports

A motion to approve committee reports was made by Alderman Crawford, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

#### 6. Adjournment

A motion to adjourn was made by Alderman Crawford, seconded by Alderman Witte. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:15 p.m.