

STRATEGIC PLANNING

Tuesday, October 6, 2020 – 5:30 p.m.

Council Chambers – Olean Municipal Building

Present: Members: Chairman Crawford, Vice Chairman Dougherty, Alderman Witte, Alderman Gonzalez (via teleconference), and Alderman Robinson. Others: Alderman Anastasia; Bob Ring, Director of Public Works; Tim Richardson, Fire Chief; Ryan Reed, Code Enforcement Officer; Jeff Rowley, Police Chief, 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, September 15, 2020)

A motion to approve the minutes of the September 15, 2020 meeting was made by Alderman Crawford, seconded by Alderman Witte. Voice vote, ayes all. Motion carried.

3. Unfinished Business

Alderman Crawford explained that he would like to do a quick follow up regarding short term rental registration and licensing. He explained that he is putting together draft legislation, which includes information provided on a handout to the Council. He explained that the intent of registration and licensing is to protect and preserve the character and welfare of residential areas, the safety and welfare of transient persons occupying rental units, the minimum standards for heating, plumbing, bathroom facilities and other safety concerns, the fight against poor housing conditions and blight, and the value of land and buildings across Olean.

Alderman Crawford explained that this was discussed a month or two ago and that a short term rental is a dwelling for transients between one and thirty days. These include Home Away's, VRBO's, Airbnb's and similar. He explained that he proposes that the City require that they be registered and licenses for business, and that requirements such as an annual Certificate of Occupancy and annual proof of hazard insurance were taken from other policies in other cities. He explained that the only fee he proposes is for the inspection itself, and that the concern is not about additional revenue. He explained that the concern is about where short term rentals are popping up over the City, and keeping track of where these types of businesses are operating.

Alderman Crawford explained that he spoke with the City Attorney regarding other cities including districts where short term rentals would be allowed. He explained that if there is

interest in R1, R2 or R3 zones, that they would need a Special Use Permit or a Zoning Variance. He explained that there are some kinks to work out there. He explained that failure to comply with this legislation would include suspension or revocation of the license to operate as a short term rental.

Alderman Crawford explained that he would appreciate if Code Enforcement and the Fire Department had some comments regarding this, and he would like to get this to the City Attorney to wrap up. Chief Rowley explained that he feels that this is spot in from a preplanning issue. He explained that his concern is that he wants to know if a rental is single or multiple family in the case of an emergency. He explained that registration is key.

Mr. Reed explained that his only real critique is that he would like to see a revocation of the license if the dwelling is being rented over the occupancy limit of the house. He explained that this is an issue in a lot of the laws that have come forward regarding this. Alderman Crawford asked how the occupancy rate is determined, and Mr. Reed explained that this legislation can only apply to one and two family dwellings according to State law. He explained that Residential and Property Maintenance Codes would be used, and that there are qualifications based on room size, as well as bathroom and kitchen requirements, and what is a habitable room and what is not. He recommended a higher initial fee for inspection because the first inspection on these types of rentals will be more in depth, but once the first inspection is done there shouldn't be any changes without a permit being obtained and moving forward, the standard \$60 fee can be charged.

Alderman Crawford explained that if he is suggesting an initial plan review, that he is curious as to how long it would take to do the initial inspection. For example, if it took twice as long, he would recommend charging \$120 for the initial inspection. Mr. Reed explained that in the field it won't take too long, and that the initial site review is typically done in the office where the plan is reviewed and then verified in the field. Alderman Crawford explained that this is a fair point, and that we can kick around a number, but that he suspects that it is twice as long and that the first inspection should cost \$120 with subsequent inspections costing \$60. Mr. Reed noted that the City could recuperate additional costs for a more in depth inspection after a permit is obtained for changes to the dwelling with an additional cost on the building permit application.

Chief Richardson explained that the City of Buffalo charges higher for the initial inspection than for the renewal, and that non owner occupied dwellings have a higher inspection fee. Alderman Crawford asked if the residential codes should be referenced in this legislation, and Mr. Reed responded that the easiest way is to include language that the dwelling follows all laws in the chapters of the International Property Maintenance Code and Residential Code that apply.

Alderman Dougherty asked if we know how many of these types of rentals are currently in the City, and Alderman Crawford responded that the number is increasing, but he believes that there are ten now. Alderman Dougherty asked if the existing rentals would be grandfathered in, and Mr. Reed responded that technically they are operating now as not legal, non-conforming because a permit was not obtained. Alderman Witte asked if this means that if the rental was started a year ago, that the owner should have come in front of the Planning and Zoning Boards. Mr. Reed responded that this is a grey area in our zoning law which is why he feels like this legislation should be adopted.

Alderman Witte explained that she can think of some short term rentals that aren't in the right zoning district of the top of her head. Alderman Crawford explained that his intention is not to go after the existing short term rentals because he really hasn't heard any complaints regarding them. He explained that if this becomes a more popular form of business, he feels that we should pass this legislation before more pop up. He feels that the existing should be grandfathered in unless there are issues with them.

Alderman Dougherty explained that most homes are in R1, R2, and R3 districts, and that he knows that everyone wants to see neighborhoods owner occupied but that is not the reality anymore. He explained that he feels that we will eventually be at a more than fifty percent rental population, and Alderman Crawford explained that he thinks that we are already there. Alderman Crawford explained that we aren't talking about rentals though, we are talking about transients that are coming and going. He explained that eventually we will see every house in the City will be a rental property so we should limit short term rentals to R3 districts. Alderman Dougherty explained that we get more complaints on regular rentals, so he doesn't think that we should limit short term rentals if they are not a problem. Alderman Crawford explained that he doesn't feel that short term rentals are owned by deadbeat landlords, but that could change.

Alderman Witte explained that the Council has a history of letting something happen and then fixing it, which is not a good thing, She thinks that we should be proactive. She can see more elderly people renting out parts of their home because they need help. She agrees with both sides but we need to be proactive and put something out there so that down the road we don't run into issues.

Alderman Crawford explained that he will go back and make revisions, and send the legislation to Mr. DiCerbo for review prior to a vote,

4. New Referrals for Consideration

a. Discussion Items

i. Walkable Olean Phase III Roundabout, East State Street / Barry Street
(Ring)

Mr. Ring explained that he has provided the Council members with a packet regarding this project. He explained that a lot of work has been done in planning Walkable Olean Phase III, and that it is set to go construction in summer 2021 and go to bid in five months. He explained that we are moving from the preliminary design and planning phase to the final phases, and through the process we need to work with the State and funding agencies on alternatives. He explained that there were two public input sessions and he is here today to bring the recommendation to the Council to include a roundabout at the intersection of East State Street and Barry Street.

Mr. Ring explained that he provided a study in the packet for the Council on the first couple of pages, and that he then has planning documents that show the design of what the street would look like. He explained that the main goal is to make the corridor more walkable and to make the drive from Barry Street to Union Street feel like more of a walkway. He explained that this was the public square at one time, and it is the gateway to the City's downtown.

Mr. Ring explained that the traffic study on the second page is a part of a bigger effort to study accidents after the North Union Street Project. He explained that it was found that there is a reduction of crashes in the intersections with roundabouts now that the project has been completed. He explained that the accidents that were found are a lot of rear ending or slower speed accidents and that there are fewer injuries on an annual basis. He explained that bike path injuries are down after the project, and there has been an increase in walking and biking traffic since the project as well. He explained that the project was a big success and that the roundabouts were a big part of that.

Mr. Ring compared the roundabout intersection versus a signalized intersection and showed that the crossing is much longer on the signalized intersection. He explained that roundabouts bring everything closer and make more room for green space, while a signalized intersection would require a turn lane. He explained that when there are three lanes of traffic as opposed to two, people are trying to beat the light and are often traveling at higher speeds. He recommends that a roundabout be placed at this intersection, and the Council needs to make a decision to determine what design we will move forward with.

Alderman Gonzalez thanked Mr. Ring for bringing these study results to support the idea of a roundabout. He explained that this needs to happen for all of the reasons that Mr. Ring said, and that he feels that another unintended benefit will be that it will cut down on congestion. He feels that traffic has a better flow with roundabouts, and that this is a great idea and great progress.

Alderman Anastasia explained that he hates roundabouts, and that he doesn't feel that they are user friendly based on the people who he has talked to. He explained that he has gotten a lot of complaints, and that they slow traffic down and people get nervous because they don't know how to use them. He feels that it is a terrible idea and will create a cluster on East State Street. He thinks that we are making the traffic pattern in Olean more difficult and much worse than what it was.

Alderman Robinson explained that he comes from a city where traffic circles are two or three lanes wide, and there are no issues down there. He thinks that they are an issue here simply because people don't know how to use them. He understands the frustration but he feels that this is a good idea. He explained that when you end up at the light, everyone tries to rush through there and it creates congestion. He explained that he feels a roundabout will help ease that.

Alderman Robinson asked about the STOP signs in the plan flanking the crosswalk, and Mr. Ring explained that those will be pointed towards the shared use path. He explained that you would approach these signs the same as you would ones on the road, and that the flashing beacons are meant for mid-block crossings only. He explained that you are going to want to stop at those intersections, and that you have the right-of-way and cars yield to you, but these are for pedestrians and bicyclists. He explained that this is the typical design nowadays. Mr. Ring noted that the HAWK flashing beacons are not legal at intersections.

Alderman Anastasia explained that when he was one the Council a long time ago, the Fire Chief stated that he could make a response within three minutes to anywhere in the City. He asked if the roundabouts and narrowing of streets slows the response. Chief Richardson explained that a lot of the time, they will alter response patterns if they are busy. They also don't always respond with lights and sirens because it's a safety risk. They are very flexible.

Alderman Witte explained that Alderman Anastasia is right, that a lot of people haven't gotten used to the roundabouts and are still learning. She asked if adding a roundabout at this location would change the traffic flow at the intersection of East State Street and Front Street. She explained that she feels that traffic would become more backed up in this location. Mr. Ring explained that he wouldn't anticipate an issue. Alderman Dougherty explained that he has never seen State Street back up at the Fourth Street light, and Alderman Witte responded that there is backup at State and Union. She explained that when you get to Bradner Stadium, there will be a backup, and it will be worse when people are leaving Cutco. She explained that there will be issues because there will not be a stop at Barry Street to stagger the traffic.

Alderman Gonzalez explained that he feels that it will be okay because this is a bigger intersection going into multiple directions. He explained that the Front Street intersection has

much more traffic and signals in every direction. Alderman Witte explained that she doesn't think Barry Street will be an issue because there is not a huge volume of traffic coming from those directions, and that her concern is coming into the City.

Alderman Gonzalez explained that the plan is to eventually do a streetscape plan for Front Street. Right now he feels that the City should proceed with this roundabout, and perhaps down the road determine if a roundabout could be used at Front and State.

Mr. Ring explained that to him, the bigger problem is people coming from East State Street westbound, who drive fast. He explained that five years ago, 10,000 cars drove down Front Street a day, and now 15,000 do. He explained that the play is walkability and livability for our residents. He explained that our population is going down, but our traffic flow is getting worse.

Alderman Witte explained that either way is fine with her, but that her concern is that the intersection and Front and State will be backed up.

Alderman Robinson explained that he almost feels that the light at Bradner Stadium would help regulate the two traffic circles in town by stopping traffic, which would allow the circles to clear as the light changes. Alderman Witte explained that at the same time people will be coming from the circles to the light, and she is concerned that the flow won't be regulated enough.

Alderman Crawford asked if the roundabout would be the same size as those on North Union Street. Mr. Ring explained that he thinks that they are all similar in size in the center circle, but that the State and Union roundabout may be larger. He explained that the center circle is around 65 feet which is similar to the size of the other roundabouts.

Alderman Crawford explained that we all know that there are times that the traffic flow backs up, but it has always been this way. He recently had a meeting with the Mayor and was in traffic on North Union Street, thinking he would be late. He explained that traffic kept moving and he got to the Municipal Building much faster than he had anticipated. Traffic keeps moving, and that is one benefit that he sees from this. He explained that it is interesting to him the number of people who were dead set against roundabouts, who now have a different opinion of them. They see the beautification and safety that come from them.

Alderman Dougherty explained that he is in favor of a roundabout there. He explained that to Alderman Robinson's point that he feels that they aren't safer, Mr. Ring has shown data through the entire process and DOT has really promoted roundabouts because they are safer. HE explained that he likes them. He gets downtown no problem. He remembers some time ago being stuck in traffic for quite a long time, and that hasn't happened since the roundabouts were put in place. Alderman Crawford explained that we are spoiled in Olean. He used to live in Houston, and we don't experience real traffic jams and congestion like bigger cities experience.

Alderman Anastasia explained that his other concern he has about the downtown is that the medians need to be cleaned up a bit, as it is a safety issue. He might like roundabouts better if this was done. He explained that in some sections of the road people could walk out right in front of you and you wouldn't see them until they're there. We have to do something to clean up the tall grass in the medians.

Alderman Crawford explained that he would be interested in hearing the Mayor's opinion before deciding one way or the other.

ii. Lake Shore Paving, Airport SRE Pavement Reconstruction Project (Ring)

Mr. Ring explained that we have talked about this project a number of times, most recently to approve awarding the contract to C&S Companies for construction inspection services. He explained that this particular item is to award the project to the low bidder. He explained that the bids were received several months ago, but they had to wait for the FAA to have an agreement in place to guarantee the funding. He thought that this project would be completed in the fall, but it will now begin in the spring.

Mr. Ring explained that the City has worked with Lake Shore Paving a number of times in the past. He is asking the Council's thoughts. He explained that this is to replace the pavement on one of the snow removal equipment building's aprons. This is a \$350,000 project, and the City has set aside \$15,000 as our match to complete the project.

Mr. Ring explained that this is the 2019 FAA project, and the 2020 project, which is covered by the CARES Act, is for the runway design. He noted that this project would need to be funded in 2022 and 2023. The City is not committed until December. He explained that he has spoken with the Mayor to try and find support, and that the project would require \$125,000 matches in consecutive years. Mr. Ring explained that this is not a definite plan, and he would like to discuss this in a separate session with the Council to discuss financing for the project.

Alderman Crawford asked if there will be another \$15,000 match for the 2020 project, and Mr. Ring responded that it is a \$30,000 match, but that it is covered by the CARES Act and will cover the design of the runway and taxiway, which are two different projects.

Alderman Crawford explained that the really big project is for the replacement of the runway, and he asked if the FAA has officially awarded the funding for this. Mr. Ring explained that it has not been awarded, and it should be awarded in December.

Alderman Anastasia asked if the Council can get a usage report for the airport, and Alderman Crawford asked if a flight log could also be obtained. Mr. Ring explained that he would provide this for the Council.

Alderman Witte asked if the support group can meet with the Council to discuss how things are going there, and Mr. Ring responded that they could. Alderman Witte asked if the City can use the \$17,000 received from the County for the local share, and Mr. Ring explained that he is working on this, and Mayor Aiello is working with the County to try to grow this number.

iii. Easement, Arland Avenue (Paper Street) (Witte)

Alderman Witte explained that the City met with the residents who abut Arland Avenue on the right hand of the paper street. She explained that one of them requested an easement to do some landscaping three to four feet onto the City's property and would like to have this put into legal terms. She explained that they obviously won't be able to replace the greenery that was taken down, but this is something that could help appease the neighborhood. She explained that she does not have an official map showing the easement yet, and Mr. Ring has indicated that it will be a while before we have one. She noted that two neighbors are asking for easements.

iv. Bucket Truck Lease (Saradin)

Ms. Taylor explained that this lease is similar to one recently done for a ten wheeler, and that the City will own the vehicle at the end of the five year term.

5. Approval of Committee Reports

None

6. Adjournment

A motion to adjourn was made by Alderman Crawford, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:35 p.m.