

## CITY OPERATIONS

Tuesday, July 18, 2017 – 5:40 p.m.

Police Training Room – Olean Municipal Building

Present: Members: Chairman Smith, Vice Chair Gonzalez (via teleconference), Alderman Dougherty, Alderman Andreano, and Alderman George. Others: Alderman Witte; Mayor William Aiello; Bob Bell, Fire Chief; Jeff Rowley, Police Chief; Ed Jennings, Code Enforcement Supervisor, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

### 1. Roll Call

Alderman Smith called the meeting to order at 5:40 p.m. and asked that the record show that all committee members were present except Alderman Gonzalez, who joined the meeting via teleconference.

### 2. Approval of Minutes of the Previous Committee Meeting (Tuesday, June 20, 2017)

A motion to approve the minutes of the June 20, 2017 meeting was made by Alderman Smith, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

### 3. Unfinished Business

- a. PL #54-17: (Andreano) To authorize the deed transfer for a property located along Kingston Drive in the City of Olean for \$1.00 to a citizen in exchange for necessary work to correct drainage issues in the area.

Alderman Andreano questioned if Engineering has been out to look at the issue, and Mayor Aiello replied that they have been very busy and have not been out as of yet. Alderman Gonzalez asked how much time we should give them to get out to get an estimate of the costs, and Mayor Aiello requested a period of thirty days.

A motion to postpone PL #54-17 to the August 15, 2017 committee meeting was made by Alderman Andreano, seconded by Alderman George. Voice vote, ayes all. Motion carried.

### 4. New Referrals for Consideration

- a. PL #60-17: (Dougherty) To amend the City of Olean Code of Ordinances Section 21-57, Permit to plant trees or shrubs required, to require a permit from the Department of Public Works prior to planting or removing trees or shrubbery between the curb line and street line within the City of Olean.

Alderman Dougherty stated that this piggybacks with the new tree policy. He stated that he feels if a homeowner is responsible for tree removal in the subway, they should be able to

remove their trees as they please. Currently, to remove a tree in the subway, DPW issues a permit after a discussion with the City Forester. He stated that he still feels that there should be a review prior to planting trees in the subway as some trees are not fit for the area or can be hazardous or damaging to utilities.

Alderman Andreano questioned, if a tree falls during removal, who is liable. Mr. DiCerbo responded that it would be the person who received the permit to remove the tree. Alderman Dougherty stated that you need to provide insurance information when getting the permit.

Alderman Smith stated that he feels that we need to think about this. A lot of businesses in town have wanted to remove healthy trees for years, and this would give them free reign to do so. Alderman Witte added that the City recently planted all new trees on East State Street, and these could all be pulled if we allow this to happen.

Alderman George questioned if it would work if we better enforce the current policy, that requires that the Council approve tree removal. Mr. DiCerbo stated that it would work like curb cuts used to, where we grant the permit at a work session. Alderman Dougherty stated that he received a permit to remove trees from his subway from DPW without gaining Council approval. He stated that he didn't realize, until now, that the correct process is to gain Council approval. He stated that as long as DPW no longer issues permits for subway tree removal without Council approval, then he is fine withdrawing this PL. Mayor Aiello stated that he will speak with DPW to ensure that they follow proper procedures in the future.

A motion to withdraw PL #60-17 was made by Alderman Dougherty, seconded by Alderman George. Voice vote, ayes all. Motion carried.

- b. PL #65-17: (Smith) To authorize the sale of City-owned property located at 1 Olds Court, Olean to a private entity.

Alderman Smith provided a handout to the Council to show the area that he is describing. He stated that a landlord from Portville purchased the housing court, and he has cleaned it up and made it a lot better. He wants to do improvements to the driveway, but it has come to his attention that he does not own the driveway. After speaking with Mr. DiCerbo, it seems that the area that is his driveway and parking lot is surplus City property that the City currently does not maintain. The owner does not want to invest in or improve the property if he does not own it.

Alderman Witte questioned if we would require he do the improvements in a certain time frame, otherwise we would take the property back. Alderman Smith stated that he hadn't thought of that, but we could. However, now that we know we own the property, he questions

if we are on the hook to maintain it. Mayor Aiello stated that this only became a parking lot in the last twenty years or so.

Alderman George stated that he is all for a private citizen taking on and improving, and Alderman Andreano agreed. Alderman Gonzalez stated that, in terms of giving him a timeline, he doesn't want to have to take back the property in a year and end up needing to maintain it.

Alderman Smith stated that the owner is aware that he will be assessed and taxed on this additional land.

A motion to amend PL #65-17 to include the wording "surplus City property" was made by Alderman Smith, seconded by Alderman Andreano. Voice vote, ayes all. Motion carried.

A motion to refer PL #65-17 to the Regular Meeting 07/25/2017 for Resolution was made by Alderman Smith, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

c. Discussion – Banners at Bradner Stadium (Andreano)

Mayor Aiello stated that, for some reason, verbiage was not getting through to people who were hanging their signs on the stadium fencing. He presented to the Council a picture that is now given to applicants when they gain permission to hang a sign showing exactly where they can and cannot put the signage.

Alderman Andreano stated that this became an issue when someone paid for a permit and hung their sign in the correct place, and then when they removed their sign, the next group hung their sign in an unauthorized place. The original group wanted to bring this to our attention.

Mayor Aiello stated that when a sign is hung in the wrong place, City workers will take it down. Then, it will be the responsibility of the group to come and rehang the sign in the correct location.

Mayor Aiello stated that we need to come up with a location to hang banners, as the poles that used to be used were removed from North Union Street when the streetscape project was done. He suggested a permanent location along the corner of the stadium and recreation center parking lot. That way, we wouldn't have to deal with the fence issues, traffic would still see the sign, and as it is in a parking lot, hanging signs will be easier than when the poles were along the roadway. He stated that it is also possible to speak with the State to see if we can hang banners on Route 16 coming into the City.

Alderman Smith stated that he is not opposed to having two banner locations. There are a lot of events going on in the City, and he foresees both locations being used at the same time quite often.

d. Discussion – City-wide Garbage Pickup (Aiello, George)

Alderman George stated that he has received several calls from residents regarding City-wide pickup. He has spoken with the Mayor, who has received calls as well. He has not looked into the expenses associated with this yet, but he wanted to see if other Council members have been getting calls.

Mayor Aiello stated that he believes that the last time this was done, \$8,000 was budgeted, and around \$5,000 was spent. He stated that we could go out to bid again to see what costs would look like. Residents paid for a \$35 ticket, and size limits were imposed so that the total collection amount is so wide by so long.

Alderman George stated that he wanted to bring this forward to hear the Council's thoughts. Alderman Smith stated that it is a relatively small expense.

Mayor Aiello stated that he will get more information on the cost and bring it forward at a later time for Council approval.

e. Discussion – Cat Rules / Registration (Dougherty)

Alderman Dougherty stated that he feels that we should change the Code of Ordinances to require that cats follow rules similar to dogs, including registration. When the day comes that the City decides what to do with cat control, he wants to have some sort of recourse to fine owners whose cats run at large. If they aren't registered, he wants the cats to be able to be taken away.

Alderman George stated that he knows that this issue continually comes up, and he wonders how we can manage this.

Alderman Dougherty stated that this is just a jumping off point for conversation.

Alderman Andreano stated that her concern is that she doesn't want the police to use their precious time to have to pick up cats. Alderman Dougherty replied that isn't what he is looking to happen, but eventually we need to figure out what we are going to do about the cat problem in the City.

Alderman George questioned how this improves upon what is in the Code now. Alderman Dougherty stated that he wants a legal mechanism to state who a cat belongs to. He wants there to be accountability and responsibility in cat owners.

Alderman Gonzalez stated that now that the SPCA contract doesn't involve cats, this would all be on us.

Alderman Smith stated that he feels that Alderman Dougherty is on to something. If we ever want to solve the cat problem, we need to hold cat owners responsible for their animals that are outdoors causing problems.

f. Discussion – TNR Funding (Crawford)

Discussion item postponed until Alderman Crawford is present.

5. Approval of Committee Reports

A motion to approve Committee Reports was made by Alderman Smith, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

6. Adjournment

A motion to adjourn was made by Alderman Smith, seconded by Alderman George. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:25 p.m.