



City of Grand Island

Tuesday, September 28, 2010

Council Session

Item G2

Approving Minutes of September 21, 2010 City Council Study Session

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL STUDY SESSION

September 21, 2010

Pursuant to due call and notice thereof, a Study Session of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on September 21, 2010. Notice of the meeting was given in the *Grand Island Independent* on September 15, 2010.

Mayor Hornady called the meeting to order at 7:00 p.m. The following Councilmember's were present: Gericke, Nickerson, Ramsey, Dugan, Carney, Gilbert, Haase, and Niemann. Councilmember's Zapata and Meyer were absent. The following City Officials were present: City Administrator Jeff Pederson, City Clerk RaNae Edwards, Finance Director Mary Lou Brown, City Attorney Dale Shotkoski, and Public Works Director Steve Riehle.

INVOCATION was given by Mayor Hornady followed by the PLEDGE OF ALLEGIANCE.

Discussion Concerning Disposition of Land at Stuhr Road and Highway 30. Jeff Pederson, City Administrator reported that in 2005 the City purchased land at Stuhr Road and Highway 30 for a prospective State Fire Training Facility in an amount of \$583,900. The land was currently leased for agricultural production and a portion of the property was used by the City for snow piling and temporary storage of historical buildings.

During the recent budget sessions, the City Council requested an inventory of excess land assets be compiled to determine if any excess land assets could be sold for cash to assist with funding the City budget. This piece of property was identified as both significant in size as well as lacking in a defined plan for future use.

Mr. Pederson stated a broker's opinion was obtained and the projected value for the property including the lake was \$392,200. This amount was based on a comparable piece of property sold recently located across Stuhr Road.

Mentioned was a possible future location for a combined Public Works/Utilities/Fleet facility at this location. Also mentioned was an e-mail received from Marlan Ferguson, President of Grand Island Area Economic Development Corporation (GIAEDC) stating there were several companies interested in this property as an economic/industrial development since it was zoned M-2 and had excellent roadway access as well as BN and UP railroad availability.

Discussion was held regarding reasoning for not marketing this property. Mr. Pederson stated EDC was aware of this property and there could be a partnership created between the City and EDC for future development. Public use of this property had not been pursued at this time, but could be looked at in the future. Several Councilmember's commented that now was not the time to sell this property and this should not be sold just to increase revenues in the budget.

Councilmember Carney suggested that Administration secure a qualified appraisal on this property. Councilmember Gilbert suggested that staff look into the options for use of this property.

Update of Odor Task Force. Jeff Pederson, City Administrator reported that an Odor Task Force was formed to investigate an odor ordinance and to review the odor issue. Members of the Task Force were: Councilmember's Niemann, Ramsey, Gericke, and Gilbert, and City Administration staff. Public Works Director Steve Riehle and Environmental Health Supervisor Jeremy Collinson from the Central Nebraska Health Department had also worked with the group.

Councilmember Bob Niemann, Chairman of the Odor Task Force Committee stated the Odor Task Force studied the City's ability to monitor odors. The Nasal Ranger had been a useful tool for the Wastewater Treatment Plant, but involved human factors which could impact the results. Other odor measuring devices were investigated that had less subjectivity. The help of an odor expert was enlisted and Dr. Dwaine Bundy was hired to provide an outside point of view with knowledge and experience with odor management.

Dr. Bundy made a site visit on August 23, 2010 and believed odorous compounds near the wastewater Treatment Plant and JBS were made up of hydrogen sulfide. Reducing hydrogen sulfide gasses could reduce odors, but more information was needed on the odorous gases. The OdaLog was an instrument that reads hydrogen sulfide continuously, and could provide information on the correlation between hydrogen sulfide and odor emissions. An OdaLog takes measurements every ten minutes for twenty-four hours a day, seven days a week, along with collecting weather information. Data is then downloaded every two-four weeks. With the advice and knowledge from the consultant, the Odor Task Force believed that using the OdaLog would greatly improve the City's ability to monitor odors.

During the past year and over the course of the time the Odor Task Force had been meeting, JBS had demonstrated a much higher commitment to managing odor emanating from the plant. Additionally, JBS and the City had strengthened their working relationship through improved communication and accountability. The Odor Task Force would like to use this improved relationship to move forward in a mutual effort to manage the odor issue without the implementation of a formal program of compliance and sanctions.

The Task Force believed that moving forward over the next year they would be able to improve the City's ability to monitor odor emissions, as well as learn more about odor impacting the community using the OdaLog instruments. By doing this in a mutual effort with JBS, Wastewater, and other odor generators, it would provide the Task Force the opportunity to share data and create a greater understanding of the odorous emissions.

The committee recommended moving forward with purchasing three units to measure the odors over the next 12 to 18 months and form partnerships with JBS and McCain Foods to work with the Odor Task Force.

Discussion was held concerning the OdaLog measuring only hydrogen sulfide odors and concerns of this being one dimensional. Shannon Oster, Assistant to the City Administrator answered questions regarding the training and reports of the OdaLog.

The committee thanked JBS and McCain Foods for their cooperation on this issue. John Ditter, representing JBS commented on the upgrades of their facilities.

Food Tax Exemption Review and Opportunities. Jeff Pederson, City Administrator reported that Councilmember Haase had requested placement of this item for discussion. The ordinance implementing the Food and Beverage Occupation Tax does not apply to State Fair Vendors. State Statute §16-205 does not provide cities the authority to impose an occupation tax on a State function or facility, therefore food and beverages sold at the State Fair was not included in the Ordinance.

§16-205. License or occupation tax; power to levy; exceptions.

A city of the first class may raise revenue by levying and collecting a license or occupation tax on any person, partnership, limited liability company, corporation, or business within the limits of the city and to regulate same by ordinance. All such taxes shall be uniform in respect to the class upon which they are imposed. All scientific and literary lectures and entertainments shall be exempt from such taxation as well as concerts and all other musical entertainments given exclusively by the citizens of the city.

Councilmember Haase stated the reason he brought this forward was because of questions from citizen's concerning exemptions of the Food Tax in the City Code relating to vendors at the State Fair. Mr. Haase stated both City Code and State Statutes were confusing on this issue.

City Administrator Jeff Pederson commented that when this Ordinance was written, the City did not have the authority to tax a State agency. Vendors at the State Fair were considered a part of a State function and were considered exempt. Mr. Pederson stated this issue would be researched at the state level. Discussion was held concerning vendors paying a vendor fee to the State Fair.

Jeremy Collison, representing Central District Health Department commented on the City not taxing mobile food vendors at the present time and the vendors at the State Fair were considered mobile food vendors so therefore were not taxed.

Comments were made by Councilmember Dugan concerning Administration looking into taxing the mobile food vendors. Mr. Pederson stated this issue would be brought forward at a future Study Session.

ADJOURNMENT: The meeting was adjourned at 8:10 p.m.

RaNae Edwards
City Clerk