

A meeting of the Redevelopment Agency of Murray City was held on Tuesday, November 19, 2019 at 5:30 p.m. in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

RDA Board Members

Jim Brass, Chair  
Dale Cox, Vice Chair  
Dave Nicponski  
Diane Turner  
Brett Hales

Others in Attendance

Blair Camp, Executive Director  
Janet Lopez, City Council Executive Director  
Jennifer Kennedy, City Recorder  
G.L. Critchfield, City Attorney  
Jennifer Heaps, Communications and Public Relations Director  
Jim McNulty, Community & Economic Development Supervisor  
Citizens

Mr. Brass called the meeting to order at 5:30 p.m.

**1. Approval of the October 15, 2019 RDA meeting minutes**

MOTION: Ms. Turner moved to approve the minutes from the September 17, 2019 RDA meeting. The motion was SECONDED by Mr. Hales. Voice vote taken, all "ayes."

**2. Citizen Comments**

No citizen comments were given.

**3. Discussion and decision on approving the 2020 Redevelopment Agency meeting dates**

Mayor Camp, Executive Director, said the Redevelopment Agency meeting correlates with the second City Council meeting each month.

Mr. Brass added the second City Council meeting will typically be held the third Tuesday of each month next year except for during the months of August, November and December because of conflicts.

Mayor Camp added the 2020 meeting dates were coordinated with Jan Lopez, City Council Executive Director.

MOTION: Mr. Cox moved to approve the 2020 Redevelopment Agency meeting dates. The motion was SECONDED by Ms. Turner.

RDA roll call vote:

Ms. Turner     Aye  
Mr. Hales       Aye  
Mr. Nicponski   Aye  
Mr. Cox          Aye  
Mr. Brass        Aye

Motion passed 5-0

**4. Discussion and decision on adopting a resolution approving a Tower Relocation Agreement between the Redevelopment Agency of Murray City and American Tower Delaware Corporation**

G.L. Critchfield, City Attorney, said in July of 2018, the RDA Board approved a Tower Relocation Evaluation Agreement to see what the feasibility would be of moving the cell tower. That has been completed and the parties are ready to move forward with this property acquisition agreement. This is a three-party agreement between the RDA, Verizon and American Tower Delaware Corporation (ATC).

Mr. Critchfield explained that when the RDA acquires property for a development, if there is going to be a company or person who is going to be relocated, the RDA is responsible to help with that relocation in terms of cost. The cost to construct a new cell tower is \$700,720. In addition to that, the RDA needs to purchase the property which is \$100,000 plus closing costs. There will be demolition and decommissioning of the tower costs and a lease agreement that the RDA will enter into for the property that is occupied by the new fire station.

Mr. Critchfield said before the cell tower can be vacated, Verizon and ATC want to make sure they have a new cell tower in place and have approvals from the FAA and FCC to operate the new cell tower at the new location. They also want to ensure they can get building permits, get their co-location agreements in place, and get insurance for the new cell tower. The current cell tower will stay in place until the new tower is installed.

Mr. Critchfield said this agreement waives certain fees, but since the RDA cannot waive fees, it will need to go through the City Council to have some of those fees waived. Mr. Critchfield feels this agreement is reasonable. He could not provide a timeframe for when the cell tower would be decommissioned, but he noted the parties involved know how important it is to the RDA to have this done as quick as possible.

Mr. Critchfield added that when the RDA leases the property, it will be a lease, but Verizon and ATC are not going to pay the RDA to lease the property. It is part of the relocation that the RDA has asked them to do.

MOTION: Mr. Nicponski moved to adopt the resolution. The motion was SECONDED by Mr. Hales.

RDA roll call vote:

Ms. Turner     Aye  
Mr. Hales       Aye  
Mr. Nicponski  Aye  
Mr. Cox         Aye  
Mr. Brass       Aye

Motion passed 5-0

**5. Discussion and decision on approving a Fifth Amendment to the Participation Agreement and Settlement and Release Agreement between the Redevelopment Agency of Murray City and Murray TOD Owner, LLC for the purposes of designating \$200,000 of funding to construct 4250 South in the Fireclay RDA**

Mayor Camp said Fireclay Investment Partners have assigned their interest to Murray TOD and Murray TOD is currently in negotiations with a potential buyer. They want to sell the property and move on and they want to assign their interest in this agreement to the new buyer.

Mr. Brass asked if this was to designate the \$200,000 and assigning the agreement to the new owner. Mayor Camp replied yes it was.

MOTION: Ms. Turner moved to approve a Fifth Amendment to the Participation Agreement and Settlement and Release Agreement between the Redevelopment Agency of Murray City and Murray TOD Owner, LLC for the purposes of designating \$200,000 of funding to construct 4250 South in the Fireclay RDA. The motion was SECONDED by Mr. Nicponski.

RDA roll call vote:0

Ms. Turner Aye

Mr. Hales Aye

Mr. Nicponski Aye

Mr. Cox Aye

Mr. Brass Aye

Motion passed 5-0

**6. Discussion and decision on approving a Purchase and Sales Agreement for the property located at 4869 South Box Elder Street**

Mayor Camp said unless due diligence discovers issues such as excessive contamination or something like that, the closing date is set for December 31, 2019. The property is .13 acres and has a small home on it that would need to be cleared.

Ms. Turner asked what the purchase price was.

Mayor Camp replied the purchase price was \$173,500 plus closing costs.

Mr. Cox asked if they would renegotiate if through the due diligence process, they found contamination.

Mayor Camp replied they would either renegotiate or backout.

MOTION: Mr. Hales moved to approve a Purchase and Sales Agreement for the property located at 4869 South Box Elder Street. The motion was SECONDED by Mr. Cox.

RDA roll call vote:

Ms. Turner     Aye  
Mr. Hales       Aye  
Mr. Nicponski Aye  
Mr. Cox          Aye  
Mr. Brass        Aye

Motion passed 5-0

**7. Public hearing for consideration of adopting a resolution amending the Fiscal Year 2019-2020 Budget in the amount of \$995,720**

Mayor Camp said this budget amendment includes \$700,720 for the Tower Relocation Agreement, \$110,000 for the cell tower property purchase and closing costs, and \$185,000 to purchase the property and closing costs for the property located on 4869 South Box Elder Street.

The public hearing was open for public comments. No comments were given and the public hearing was closed.

MOTION: Ms. Turner moved to adopt the resolution. The motion was SECONDED by Mr. Cox.

RDA roll call vote:

Ms. Turner     Aye  
Mr. Hales       Aye  
Mr. Nicponski Aye  
Mr. Cox          Aye  
Mr. Brass        Aye

Motion passed 5-0

**8. Project updates**

Mayor Camp went over the following updates:

- Nothing new has happened with the Ore Sampling Mill Site and there hasn't been any contact with the owner of that since the last time the RDA met.
- Contract Appliance has moved out of their property located on 5<sup>th</sup> Avenue next to the Murray Mansion. The RDA purchased that property a couple of years ago.
- Peggy Newsome and her renter are scheduled to be out of their property by the end of this month.
- Bill and Susan Wright are scheduled to be out of their property by the end of the year. The last dance in their dance center will be next week.
- The City Engineer is actively working with the Fraternal Order of Eagles and the Day Law Office for the right-of-way acquisition for the Hanauer Street extension.

- The new fire station was supposed to be done by Thanksgiving, but it will probably take another three months to finish.

Ms. Turner asked what the plans were for the buildings as they become unoccupied.

Mayor Camp replied they will be taken down as soon as possible.

The meeting was adjourned at 5:52 p.m.

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Jennifer Kennedy, City Recorder