

MORGAN CITY

RDA MEETING

06-11-19

(6:30 p.m.)

**MINUTES OF MORGAN CITY
REDEVELOPMENT AGENCY
MEETING**

May 14, 2019; 5:05 P.M.

**CHAIR AND BOARDMEMBERS
PRESENT:**

Chair Ray W. Little, Tony London, Eric Turner, Jeff Wardell, and Jeffery Richins

STAFF PRESENT:

Ty Bailey, City Manager, and Denise Woods

EXCUSED:

Mike Kendell

OTHERS PRESENT:

Darrell Rupp, NAPA Auto Parts

This meeting was held in the Council Conference Room of the Morgan City Offices, 90 West Young Street, Morgan, Utah.

This meeting was called to order by Chair, Ray W. Little.

MINUTES

MOTION: Boardmember Wardell moved to approve the minutes of the Morgan City Redevelopment Agency meeting on April 23, 2019.

SECOND: Boardmember London

The vote was unanimous to approve the minutes of as written; Boardmember Kendell was absent.

Chair Little excused Gary Crane, City Attorney, and Boardmember Kendell from the meeting.

ITEMS FOR DISCUSSION/APPROVAL

RESOLUTION R19-12 – RATIFYING BOARD'S DECISION REGARDING RDA INCENTIVE APPLICATION FOR PROJECT ON 145 COMMERCIAL STREET – R. DOUG WICKLIFFE

RESOLUTION R19-13 – RATIFYING BOARD'S DECISION REGARDING RDA INCENTIVE APPLICATION FOR PROJECT ON 101 COMMERCIAL STREET – R. DOUG WICKLIFFE

Chair Little explained these items had been discussed and approved by the Board on April 9, 2019. He stated Resolution R19-12 and Resolution R19-13 ratified the Board's Decision regarding the RDA Incentive Applications from R. Doug Wickliffe for projects on 145 Commercial Street and 101 Commercial Street, Morgan, Utah.

MOTION: Boardmember Turner moved to adopt Resolution R19-12 – A resolution ratifying the Board's approval of the Morgan City Utah RDA Commercial Incentive Application Submitted by R. Doug Wickliffe for the project on 145 Commercial Street, Morgan, Utah.

SECOND: Boardmember London

Discussion on the Motion: None

ROLL CALL VOTE: Jeffery Richins – aye
Mike Kendell – absent
Jeff Wardell – aye
Tony London – aye
Eric Turner – aye

Vote was 4 ayes; Motion passed unanimously to adopt Resolution R19-12 – A resolution ratifying the Board's approval of the Morgan City Utah RDA Commercial Incentive Application Submitted by R. Doug Wickliffe for the project on 145 Commercial Street, Morgan, Utah.; Boardmember Kendell was absent.

MOTION: Boardmember Turner moved to adopt Resolution R19-13 – A resolution ratifying the Board's approval of the Morgan City Utah RDA Commercial Incentive Application Submitted by R. Doug Wickliffe for the project on 101 Commercial Street, Morgan, Utah.

SECOND: Boardmember London

Discussion on the Motion: Boardmember Richins stated during the last COG meeting the School District expressed their support of the new procedures and the direction the RDA was going.

ROLL CALL VOTE: Jeffery Richins – aye
Mike Kendell – absent
Jeff Wardell – aye
Tony London – aye
Eric Turner – aye

Vote was 4 ayes; Motion passed unanimously to adopt Resolution R19-13 – A resolution ratifying the Board's approval of the Morgan City Utah RDA Commercial Incentive Application Submitted by R. Doug Wickliffe for the project on 101 Commercial Street, Morgan, Utah; Boardmember Kendell was absent.

PUBLIC HEARING

TENTATIVE BUDGET – 2019 – 2020 FISCAL YEAR – SET DATE FOR FINAL APPROVAL

Ty Bailey, City Manager, referenced the Tentative Budget document in the packet which listed 2018 Actual Amounts, 2019 YTD Actuals, 2019 Original Budget, 2019 Proposed Amended Budget, and the 2020 Tentative Budget. The document recognized the increase in the revenue to \$100,000 for the 2019 – 2020 Fiscal Year. He mentioned expenses listed, i.e. Technical and Professional Services, and invoices for follow-up work which need to be completed regarding the renewal and restructuring of the RDA.

MOTION: Boardmember London moved to open the public hearing to discuss the Tentative Budget for the 2019 – 2020 Fiscal Year and to set a date for final approval.

SECOND: Boardmember Richins

Discussion on the Motion: None

Vote was 4 ayes; Motion passed unanimously to open the public hearing to discuss the Tentative Budget for the 2019 – 2020 Fiscal Year and to set a date for final approval; Boardmember Kendell was absent.

Public Comments: None.

MOTION: Councilmember London moved to close the public hearing.

SECOND: Councilmember Richins

Discussion on the Motion: None.

Vote was 4 ayes; Motion passed unanimously to close the public hearing to discuss the Tentative Budget for the 2019 – 2020 Fiscal Year and to set a date for final approval; Boardmember Kendell was absent.

TENTATIVE BUDGET – 2019 – 2020 FISCAL YEAR – SET DATE FOR FINAL APPROVAL

MOTION: Boardmember London moved to approve the Tentative Budget for the 2019 – 2020 Fiscal Year and set June 25, 2019 as the date for final approval.

SECOND: Boardmember Turner

Discussion on the Motion: None

ROLL CALL VOTE: Jeffery Richins – aye
Mike Kendell – absent
Jeff Wardell – aye
Tony London – aye
Eric Turner – aye

Vote was 4 ayes; Motion passed unanimously to adopt the Tentative Budget for the 2019 – 2020 Fiscal Year and set June 25, 2019 as date for final approval; Boardmember Kendell was absent.

AGENCY BUSINESS

HOTEL UPDATE

Chair Little informed the Board there had been discussions with the representative of the Hotel and some clarifications regarding the payments had been discussed. He stated the first payment would not be due until the Hotel had been constructed and received an occupancy permit. The second payment would not be due until the Hotel had been in operation for a complete year and had paid the property and TRT taxes.

Ty stated the next step was a conference call between Gary Crane, City Attorney, and Hotel's legal counsel to discuss any terms for an agreement.

Boardmember London asked if 50% of TRT tax monies had to be used for advertising.

Ty said it needed to go towards promoting more tourism. A tax advisory board would be created, and they would prioritize the needs for the County, i.e. billboards, TV advertisements, etc. A portion could go to offset infrastructure costs due to the impact to the community, i.e. police, fire, sanitation, etc. The City didn't have any restrictions on the 1% they would receive in TRT Tax.

NAPA AUTO PARTS – TRUST DEED NOTE

Chair Little gave a brief history of the Trust Deed Note for NAPA Auto Parts and discussed the terms of the Note. On June 9, 2019, the Note would have been in place for a full four years, leaving one year on the

Trust Deed Note. He stated Mr. Rupp was in a position of being able to sell the store and was requesting the Board to release the Trust Deed Note one year early. He explained the Trust Deed Note had been for the construction of the building and the RDA would continue to receive property tax on the building.

Darrell Rupp addressed the Board and mentioned he had a couple of prospective buyers for the building and/or the business. The sale would become less encumbered if the Trust Deed Note was released.

MOTION: Boardmember London moved to release the Trust Deed Note between C. Rupp Properties, LLC and Morgan Redevelopment Agency, dated June 9, 2015 – Resolution R15-21.

SECOND: Boardmember Turner

Discussion on the Motion: None

Vote was 4 ayes; Motion passed unanimously to release the Trust Deed Note between C. Rupp Properties, LLC and Morgan Redevelopment Agency, dated June 9, 2015 – Resolution R15-21; Boardmember Kendell was absent.

OTHER ITEMS DISCUSSED

Ty updated the Board regarding the progress on the construction of Buzzy's. There had been a meeting with the State Historic Architect and the owner had received some suggestions on accommodating entrances and possible locations of restrooms. He stated the electrical upgrades had been done on the old grocery store building. The City could do a local historic designation. Rebuilding in a historical district gave people the ability to receive tax rebates for maintaining the buildings history. They could also assist the City with reviewing and amending the City's ordinances regarding the historic district.

Councilmember London asked regarding the timing of the bridge.

Ty said in October 2020. He said the process was when the funding was in place the engineering of the bridge could begin. He said the grant had been approved.

This meeting was adjourned at 5:54 p.m.

Denise Woods, Agency Secretary

These minutes were approved at the June 11, 2019 meeting.

RESOLUTION R19-19

MORGAN CITY REDEVELOPMENT AGENCY

**A RESOLUTION APPROVING THE RELEASE OF A TRUST DEED NOTE
DATED JUNE 9, 2015, BETWEEN MORGAN REDEVELOPMENT AGENCY
AND C. RUPP PROPERTIES, LLC.**

WHEREAS, the Redevelopment Agency of Morgan (hereafter the "Agency") secured the advancing of funds to C. Rupp Properties, LLC (hereinafter "Rupp Properties") for the development of property located at 278 North 300 East, Morgan, Utah, through a Trust Deed Note dated June 9, 2015; and

WHEREAS, the Agency desires to release the Trust Deed Note recorded by the Morgan County Recorder on June 9, 2015, Entry No. 135180, Book 0320 and Pages 0325-0329; and

WHEREAS, it is deemed to be in the best interest of the Agency, and the businesses and citizenry of Morgan City, to release the Trust Deed Note dated June 9, 2015 between Morgan Redevelopment Agency and C. Rupp Properties, LLC.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE MORGAN CITY
REDEVELOPMENT AGENCY AS FOLLOWS:**

1. That the Release of Trust Deed Note between the Morgan Redevelopment Agency and C. Rupp Properties, LLC, which is attached hereto and incorporated herein, be approved.
2. That the Trustee of the Agency be authorized to execute the Release of Trust Deed Note.

**PASSED AND ADOPTED by the Redevelopment Agency of Morgan, Utah, this 11th day of
June, 2019.**

RAY W. LITTLE, Chair

ATTEST:

DENISE WOODS, Agency Secretary

When Recorded Mail to:

Morgan City Corporation
90 West Young Street
Morgan, Utah 84050

RELEASE OF TRUST DEED NOTE

TO WHOM IT MAY CONCERN:

Notice is hereby given that the undersigned agent of MORGAN REDEVELOPMENT AGENCY, located at 90 West Young Street, Morgan, Utah, County of Morgan, State of Utah, hereby releases the Trust Deed Note recorded on June 9, 2015, Entry No. 135180, Book 0320 and Pages 0325-0329. Said Trust Deed Note was upon certain land and premises, owned and reputed to be owned by C. RUPP PROPERTIES, LLC, lying in Morgan City, County of Morgan, State of Utah, described as follows, to-wit:

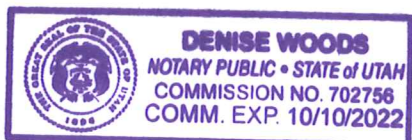
See Legal Description – Attachment "A"

PARCEL: 00-0077-5761 SERIAL #: 05-NG1-0001-A


By: GARY R. CRANE
Title: Trustee June 5, 2019

STATE OF UTAH)
 : ss.
COUNTY OF MORGAN)

GARY R. CRANE, being first duly sworn, said that he is the Trustee of the Morgan Redevelopment Agency in the foregoing Release of Trust Deed Note; that he has read said Release and knows the contents thereof, and that the same is true of his own knowledge.




NOTARY PUBLIC

ATTACHMENT "A"

Parcel: 00-0077-5761	Serial #:05-NG1-0001-A	Entry: 134493
Name: C RUPP PROPERTIES LLC		
c/o Name:	Property Address:	
Address 1: 451 N 300 W		
Address 2:		
City State Zip: MORGAN	UT 84050-0000	MORGAN 84050-0000
Mortgage Co	Acres: 0.65	
Status: Active	Year: 2016	District: 005 REDEVELOPMENT DISTRICT 0.012682

Legal Description

ALL OF LOT 1, A PROPERTY LINE ADJUSTMENT NORTH GATE PARK PHASE 1 & 2 AS AMENDED, MORGAN CITY, MORGAN COUNTY UTAH, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD, AS RECORDED APR. 9, 2008, AS ENTRY NO. 111650, IN BK 262 AT PG 584, IN THE OFFICE OF THE MORGAN COUNTY RECORDER. CONT 0.646 / 0.65 AC. SUBJ TO THAT EASEMENT AGREEMENT, AS RECORDED JAN 31, 2008, AS ENTRY NO. 110882, IN BK 259 AT PG 336 FOR INGRESS AND EGRESS OVER AND ACROSS THE FOL DESC PROP LOC IN MORGAN CITY, MORGAN COUNTY, STATE OF UTAH. A TRACT OF LAND SIT IN THE NW 1/4 OF SEC 36, T4N, R2E, SLB&M, U.S. SUR, MORGAN COUNTY, UTAH, BEING MORE PART DESC AS FOLS: COM AT THE NW COR OF SD SEC 36; TH N 90°00'00" E 1280.90 FT; TH S 00°00'00" E 385.95 FT TO A PT ON THE SE'LY LN OF 300 NORTH STREET, A REBAR AND CAP; TH S 49°51'25" E 75.00 FT ADJOINING THE RON BUTTERS PARCEL OF LAND TO A REBAR AND CAP; TH N 40°18'35" E 80.0 FT ADJOINING THE RON BUTTERS PARCEL OF LAND TO A REBAR AND CAP; TH S 49°41'25" E 10.0 FT ADJOINT (ADJOINING) THE 2DP MORGAN LLC, PARCEL OF LAND TO A REBAR AND CAP; TH S 49°41'25" E 204.67 FT ADJOING (ADJOINING) THE 2DP MORGAN LLC PARCEL OF LAND TO A REBAR AND CAP; TH S 46°36'24" W 24.31 FT TO A REBAR AND CAP; TH S 40°18'35" W 92.38 FT TO THE NE'LY LN OF NORTHGATE DRIVE, A REBAR AND CAP; (THE FOL FOUR COURS FOL THE NE'LY LN OF NORTH GATE DRIVE) TH N 55°43'23" W 99.15 FT TO A REBAR AND CAP; TH N 22°36'02" E 5.01 FT TO A REBAR AND CAP; TH; TH N 67°23'58" W 108.40 FT TO A REBAR AND CAP AND THE POB. TH 39.60 FT ALG A CUR TO THE RGT, HAV A RAD OF 219.07 FT AND A L.C. BEAR N 62°13'17" W 39.54 FT TO A REBAR AND CAP; TH N 40°18'35" E 48.66 FT TO A REBAR AND CAP; TH S 49°51'25" E 39.99 FT TO A REBAR AND CAP; TH S 42°17'34" W 40.22 FT TO THE POB. TOG/W & SUBJ TO THAT CERTAIN EASEMENT AGREEMENT AS DESIGNATED FOR PARKING AS RECORDED JUN 5, 2008, AS ENTRY NO. 112310, IN BK 265 AT PG 52.

