

City of Taylorsville
REDEVELOPMENT AGENCY
OF TAYLORSVILLE CITY BOARD MEETING
Minutes

Wednesday, October 20, 2010
Council Chambers
2600 West Taylorsville Blvd., Room No. 140
Taylorsville, Utah 84118

Attendance:

Mayor Russ Wall, Chief Executive Officer

Board Members:

Chairman Morris Pratt
Vice Chairman Jerry Rechtenbach
Board Member Dama Barbour
Board Member Bud Catlin
Board Member Larry Johnson

City Staff:

John Inch Morgan, Treasurer
John Brems, City Attorney
Cheryl Peacock Cottle, Secretary
Jessica Springer, Council Coordinator
Keith Snarr, Economic Development Director
Mark McGrath, Community Development Director
Jean Ashby, Administrative Assistant
Donald Adams, Grants Manager
Scott Harrington, Chief of Finance
Del Craig, Chief of Police

Others: Paul Kehl, Dan Fazzini, Dean Paynter, Joan White, Bob Springmeyer, Jon Springmeyer, Randall Feil, Jay Ziolkowski, Chad and Melissa Winberg, Aimee Newton, Raili Jacquet, Steve Ashby, Kristie Overson, Gordon Wolf, Laura Lewis, Bruce Wasden, Lynn Handy, Doug Arnesen, Ken Acker, Rhetta McIff, Curt Cochran, Don Russell, Members of Scout Troop #325, Mary Beth Lauritzen, Jack Lauritzen, Marcus Newton, Caleb Newton, Karla Rush, Hugh Bringhurst, Gay Bringhurst, Dan Billingsly, GiGi Gillingsley, Doug Shupe, Sue Kind, Kim Swain, Gayle Player, Jack Player, Veloy Knowley

1. **Welcome – *Chairman Morris Pratt***

20:29:50 Chairman Morris Pratt called the Redevelopment Agency of Taylorsville City Meeting to order at 8:29 p.m. and welcomed those in attendance. Secretary Cheryl Peacock Cottle conducted a Roll Call, wherein all Board Members were present.

2. Public hearing on the proposed “6200 South Redwood Road Urban Renewal Project Area Plan” dated September 10, 2010 and on the proposed “6200 South Redwood Road Urban Renewal Project Area Budget”

20:30:07 Board Member Rechtenbach stated that a petition has been submitted by residents of 6020 South opposing the redevelopment of their neighborhood. He noted that this is similar to objections submitted by the same residents a year ago during the initial meeting on the 6200 South Redwood Road Project Area Plan. Board Member Rechtenbach reminded the Board that after hearing testimony during the hearing a year ago, he made a motion that 6020 South residents be allowed to have their properties removed from the Project, but residents asked that the Board wait to do so. He explained that action was not taken at that time to remove the properties, but residents have now decided they would like to be removed after all.

20:31:27 Consultant Randall Feil advised the Board to inquire of staff, advisors, and consultants regarding the potential effect of removing the properties referenced before determining what action to take.

20:31:43 Chairman Pratt clarified that 14 residents from 6020 South have signed the petition. He asked Economic Development Director Keith Snarr to summarize the impact on the project area if the properties are removed.

20:31:55 Mr. Snarr noted that the residents on 6020 own single family homes on approximately ½ acre lots. He relayed that no objections were presented during the previous public hearing on blight, and he is not sure exactly what the residents are objecting to at this point.

20:32:55 Mr. Snarr relayed that he received a call earlier in the day from David Frost, a resident of 6020 South, who indicated that he is supportive of the plan. Mr. Snarr clarified that 14 of the 18 residents on the Street have signed the petition opposing the plan.

Mr. Snarr said that 6020 South is in a key area for the project and confirmed that there are no specific plans in place for the street at this time. He said, as far as overall plans for the area, removal of the properties on 6020 South would make project area development more difficult.

20:32:54 Board Member Rechtenbach pointed out that there is currently no developer interest or specific plans for the 6020 South Area, but the plan sets the framework for a potential developer. He clarified that if the properties on 6020 South are removed from the plan, they would not be impacted by redevelopment; but, conversely, property owners would not be able to take advantage of any redevelopment opportunities if and when they occur in the future.

20:33:38 Mr. Snarr clarified that if redevelopment happens around 6020 South, residents on that street would certainly be impacted, but the property owners would not be recipients of any redevelopment tax increment funds.

20:34:07 Board Member Rechtenbach stated that the City is not going to exercise any eminent domain or force anyone out of their homes, but will only exercise redevelopment rights in the established area.

20:34:19 Mr. Snarr explained the process for establishing rights of eminent domain and noted that 80% of property owners must petition for eminent domain. He clarified that property owners removed from the project area will no longer have input into that kind of decision.

20:35:08 Mr. Feil indicated that there are many reasons for wanting to be included in a redevelopment project area, but those eliminated from the area may not be able to sell their property to a developer at an advantageous price. He reiterated that no one is anticipating the use of eminent domain.

20:36:13 Mr. Snarr noted that the option for eminent domain could be removed from the plan if the Board determines to do so.

A. Summary statement of purposes of the public hearing - *Randall Feil*

20:36:34 Legal Counsel Randall Feil presented a summary statement regarding the purposes of the public hearing (a copy of which is attached and incorporated into this record therein).

20:39:18 Mr. Feil confirmed that the only written objection received is the petition signed and submitted by 14 residents on 6020 South.

B. Review of proposed Project Area Budget for the 6200 South Redwood Road Urban Renewal Project Area – *Bob Springmeyer*

20:41:27 Consultant Bob Springmeyer addressed the impact of removing the properties along 6020 South to the Project Budget. He explained that there would be a small reduction in the base year, but no impact on the tax increment. He stated that no development is anticipated on any of the 6020 South property. Bob Springmeyer clarified that the net impact on the budget would be zero.

20:41:31 Consultant Jonathan Springmeyer presented a Power Point presentation on the 6200 South Redwood Road Urban Renewal Project Area (a copy of which is attached and incorporated into this record therein).

20:42:00 Economic Development Director Keith Snarr illustrated the project area boundaries and reviewed the budget for the 6200 South Redwood Road Urban Renewal Project Area. He cited a boundary adjustment made in 2007 with West Jordan that brought some properties into the City of Taylorsville. He relayed that the Staff recommendation is to remove the six properties identified as belonging to the Jordan School District, consisting of 3.47 properties. He indicated that removal of the six properties brings the total project area acreage to 99.98 acres.

20:44:49 Board Member Catlin inquired about the boundary adjustment made in 2007. Mayor Wall explained that the adjustment was done to align the southern boundary of the City in a straight line and present a cleaner boundary. It was noted that City boundaries differ from school district boundaries.

20:52:47 Discussion was held regarding the recommendation to remove the six properties in Jordan School District from the project area. It was clarified that removal of the parcels referenced would in no way affect the findings of blight.

20:53:24 Jon Springmeyer reviewed the acreage, parcels and buildings contained in the project area. He discussed the time estimate for tax increment financing. He illustrated the projected incremental taxable revenue over 15 years.

20:54:11 Jon Springmeyer reviewed the proposed 15-year budget.

20:55:32 Jon Springmeyer noted that no bonds or loans are proposed.

20:55:45 Jon Springmeyer reviewed the use of incremental funds and public infrastructure costs.

20:57:12 Jon Springmeyer outlined anticipated new developments for a total project of \$109.9 million.

20:57:49 Jon Springmeyer called for questions on the proposed budget.

C. Report regarding the Taxing Entity Committee – *John Inch Morgan*

20:58:11 City Administrator/TEC Chair John Inch Morgan reported on actions taken by the Taxing Entity Committee of the Redevelopment Agency of Taylorsville City during two different meetings. Mr. Morgan reported that Taxing Entity Committee Members voted unanimously to adopt the 6200 South Redwood Road Urban Renewal Project Area Plan and Budget.

D. Agency Board questions to staff/consultants regarding the proposed “6200 South Redwood Road Urban Renewal Project Area Budget”

20:59:37 Jon Springmeyer clarified that removing the six parcels belonging to Jordan School District does not impact the budget for the project area. He affirmed that no development is planned for the properties on 6020 South and said that removing those properties would not impact the budget.

21:00:51 Mr. Feil noted that the Project Area Budget, as proposed, is a set of projections. He explained why the properties on 6020 South are still relevant to the project.

21:02:23 Bob Springmeyer clarified that budget projections are “best guesses.” He stated that the budget is not based on any specific developer or development. He said that projections are optimistic, but still realistic. He noted that 15-year forecasts are a challenge in the current economic climate.

21:04:56 Kim Swain stated that she lives on 6020 South and asked for clarification on the Church Property, known as the Labrum Property, referenced in the budget.

21:05:01 Mr. Snarr said that the Labrum Property was historically used as a solid landfill and needs to be tested and remediated in a proper manner.

21:05:46 Ms. Swain inquired whether money in the budget may be used to provide alternate access onto Redwood Road for residents on 6020 South. She cited safety issues with access and inquired what the City is willing to do to find an alternate route from the street.

21:07:04 Board Member Rechtenbach reiterated that there are no specific plans in place, but the area is currently being designated for redevelopment. He cited numerous conversations he has held regarding the need for alternate ingress and egress for 6020 South. He gave assurance that alternate plans for ingress/egress will have to be part of any development that comes forth. He confirmed that there are no current plans in place to provide alternate access.

21:07:23 Ms. Swain said that it is currently illegal for residents to turn up 6020 South because of the double solid white lines on the road. She cited difficulties with access and said that quality of life is severely impacted on 6020 South. She inquired whether help would still be available if the properties are removed from the “blighted” area.

21:08:00 Chairman Pratt affirmed that RDA funds could not be used to help with access in the event the properties are removed from the project.

21:08:04 Board Member Rechtenbach clarified that homes in the area are not considered blighted, but rather the project area as a whole has sufficient blight factors. He noted that those properties included in an RDA project area generally benefit from the improvements implemented.

21:08:59 Chairman Pratt noted that discussion and input will be allowed later in the meeting after other agenda items are addressed.

21:09:59 Mr. Feil noted that no one should rely on a statement that is broad enough to bind some kind of a future board on what’s going to happen in a contract with a developer. He cautioned against counting on what may be part of a development plan at this point because it is still unforeseeable. He cited negotiations that still must take place.

21:10:19 Mr. Feil referenced disadvantages to development if the properties are opted out of the project area. He indicated that a developer may not want to advance funds to fix an access problem for the 6020 South neighborhood if it's not required for something else. He noted that the statute does allow tax increment monies that the RDA receives to be spent inside the project area, but special permission must be sought from the TEC Committee to spend those monies outside the project area.

21:11:10 Mr. Snarr added that money in the budget was earmarked for transportation improvements, including collector roads. He explained that collector roads deal with safe access from subdivisions. He cited discussions that have been held with City Engineer John Taylor, regarding the possibility of building a new road back to Margray.

21:11:16 Mr. Snarr also noted that there are projects that have been constructed since the base year and so there is tax increment available fairly early to make necessary improvements. He said that if 6020 South is out of the project area, there may not be help available; but, if they are included, the access problem may be resolved.

21:11:57 Board Member Larry Johnson inquired about using the budget allocated for testing to solve access issues on roads. Mr. Feil confirmed that line items may be adjusted within the budget, although the total is capped. Mr. Snarr relayed that internal dollars in the budget may be moved around to best fit needs of the area. He cited some unknown factors regarding costs for testing on the Labrum property.

21:13:10 Mr. Snarr affirmed that development plans are "hoped for."

21:13:23 Mr. Feil explained that the financial consultants have identified potential expenses to justify costs to the TEC, but line items are not restricted. He noted that if money comes in because development happens, decisions may be made as to the actual utilization of funds.

E. Review of draft proposed "6200 South Redwood Road Urban Renewal Project Area Plan" - *Keith Snarr and Randall Feil*

21:15:08 Legal Consultant Randall Feil reviewed the draft of the proposed 6200 South Redwood Road Urban Renewal Project Area Plan. He noted that the plan contains the various provisions required by law, i.e. legal description of the project area, map of the project area, description of principal streets, general design guidelines, more specific guidelines, and provisions for establishing that the agency is entitled to receive tax increment. He relayed that the plan also has provisions regarding amendments to the plan and reflects the terms of the proposed budget. Mr. Feil referenced attachments of land use and phasing maps that illustrate different phases of the project area that have been divided. He said that the plan also refers to the blight study and the findings of blight. He indicated that the general idea of the plan is to try and put a tool in place for financing future needs to cover impediments to development and to market areas so that the City is ready for economic development opportunities that are presented. Mr. Feil cited possible

property remediation or improvement that may need to take place in the area. He explained that reimbursement can be provided through tax increment after a taxable and revenue-producing asset is created.

21:17:50 Mr. Snarr noted that the plan does have a provision (found on page 11) for the use of eminent domain, as authorized by law. He outlined restrictions to that use and indicated that eminent domain is not likely to happen. He questioned whether the provision for eminent domain should be removed from the plan.

21:19:15 Mr. Feil indicated that the issue of eminent domain may impact the decision of residents of 6020 South on whether to remain in the project. Mr. Snarr affirmed that 80% of residential property owners must petition the RDA Board for use of eminent domain and 75% of commercial property owners must petition the Board regarding eminent domain. He noted that without that percentage of petitions, the RDA cannot proceed to acquire property through eminent domain.

21:20:21 Chairman Pratt asked for additional clarification, and Mr. Snarr confirmed that a developer could still negotiate with property owners to acquire property.

21:20:34 Board Member Barbour asked for a point of clarification regarding the percentage of property owners who may petition.

21:21:04 Mr. Feil explained that the Project Area Plan incorporates phases, which become the relevant area for the test of percentages. The phases, or quadrants, were illustrated for Board Members. He clarified that it is 80% of owner-occupied properties that are able to petition in the relevant quadrant/phase.

F. Agency Board questions to staff/consultants regarding draft proposed "6200 South Redwood Road Urban Renewal Project Area Plan"

21:22:52 Chairman Pratt called for any additional questions from the Board, and there were none.

G. Receipt of written or oral objections to the proposed Project Area Plan; public comment on draft proposed Project Area Plan and proposed Project Area Budget; and public comment on whether the proposed Project Area Plan and proposed Project Area Budget should be revised, adopted or rejected:

21:23:34 Chairman Pratt noted that the Board has received a petition against re-development of 6020 South, as signed by 14 property owners. He called for presentation of any other written objections.

21:24:30 Merrill Turnbow, manager for the property containing storage units on the northwest corner of the project area, indicated that he has received a call from the property owner who has just returned from being out of the country. Mr. Turnbow indicated that the owner would like opportunity to review the proposed plan and submit written comments within the next week.

Chairman Pratt said that the Board will consider Mr. Turnbow's request, but may not be able to honor it. Mr. Feil said that delaying a decision by the Board may not be practical at this point, due to financial impact on the budget. He explained that if the plan is not finalized quickly, the base tax year could be lost.

21:25:40 Mr. Turnbow indicated that his client was not aware that residents along 6020 South were going to opt out of the project and said their decision impacts the property owner's position significantly because the storage units are accessed from 6020 South. He stated that the storage units will be isolated from the rest of the project if 6020 South is not included.

21:26:44 Discussion was held regarding the time frame for adopting the project. Mr. Feil explained that if the plan is adopted now with properties in it in order to meet time deadlines and then information is presented later and the Board determines that some property is no longer necessary to the project area, there is a summary procedure for excluding it, with consent of the property owner. He noted that if the property is not included now, there is no way to add it back in.

21:27:42 Board Member Rechtenbach stated that this discussion is very similar to that held a year ago. He inquired about options for excluding certain properties.

21:28:07 Mr. Snarr cited many options for individual properties and indicated that he would like to learn of the particular issues of concern from residents along 6020 South. Mr. Bob Springmeyer explained that once properties are excluded, their options are off the table. He clarified that the Board can draw property lines anywhere desired.

21:29:49 Mr. Feil referenced the date that the base tax year changes and said that change determines the assessed taxable value of the project area. He said that the plan must be finalized by November 1, 2010 or there is a serious financial impact on the budget. He cited newspaper notices that must be published and other recording and noticing tasks that must be completed before November 1, 2010. He acknowledged that the schedule for consultants and Staff has been hurried, but noted that a second hearing is unusual and there have been no irregularities in timing with the information presented to the public or the RDA Board.

21:32:08 Mr. Feil clarified that the Board may adopt the Project Area with Mr. Turnbow's property included, then allow him to give input, and if determination is made to justify removal of the property, a summary procedure may be followed to remove that property. He reiterated that there is no procedure for re-adding the property if it is now removed.

Merrill Turnbow stated his understanding that the owners of the storage unit property have opted to be in and have not opted to be out, although the information about surrounding properties has changed.

21:32:56 Mr. Feil clarified that there is no option for property owners to “opt in” or “opt out,” but rather property owners only have the right to present reasons or objections for being in or out of the project. He explained that the Board determines whether to leave property owners in, over their objections, or take them out based on objections. He reiterated that it is strictly a Board decision and is not an “opt in-/opt out process.”

21:34:03 Chairman Pratt asked that discussions by among residents in attendance be moved to the hallway, so that the business of the meeting might be heard.

21:34:16 Board Member Barbour inquired about the size of the storage unit property and Mr. Turnbow relayed that it comprises a little over 7 acres of property fronting the freeway.

21:34:44 Board Member Catlin suggested that Mr. Snarr provide his contact information to property owners who have concerns for further follow-up and explanation.

21:35:14 Mr. Turnbow stated that his client’s major concern is the potential of eminent domain. It was confirmed by Mr. Snarr that the Board may elect to remove the option for eminent domain from the plan.

21:35:52 Chairman Pratt called for any additional oral objections or comments.

21:36:29 Hugh Bringhurst, of 1814 West 6020 South, stated that issues with the project started over a year ago. He relayed that residents on 6020 South hired an attorney to address their concerns at that time, at the cost of \$4,000. He said that many questions were promised to be answered and never were. He cited his understanding that there would be another hearing in 90 days, but said that didn’t happen and now the process is starting over. Mr. Bringhurst asked whether concerns presented by the attorney at the first hearing were now null and void. He indicated that written answers were promised to questions that couldn’t be answered during the first hearing.

21:38:04 Mr. Snarr stated that Staff has met with most of the people in the 6020 South neighborhood, and he was unaware that there were remaining questions that had not been responded to. He acknowledged that the process did start over and consideration was given to the information earlier submitted by residents in the project area. He noted that no evidence or objection was submitted at the blight hearing this time around.

21:38:34 Mr. Snarr said that Staff is aware of the concerns and understands the issues of the residents on 6020 South. He relayed that he is happy to answer any additional questions that residents may now have.

Mr. Bringhurst said that he doesn't remember the original questions posed by the attorney and inquired whether residents must now hire another attorney.

21:38:53 Mr. Feil stated that he does not recall any questions that weren't answered at the hearing and indicated that there was an education process that was to take place. He said that information presented at the hearing mostly represented concerns over the process and no evidence of blight was challenged. He acknowledged that the process was started over and new notices were sent out for the blight hearing. Mr. Feil said that any objections mentioned at this hearing are just as effective as those presented at the previous hearing.

Board Member Barbour stated that residents should not have to expend costs to hire another attorney and apologized for the lengthy process. She inquired whether residents' objections are to blight, eminent domain, or whether they just don't want anything done in their area at all.

21:41:21 Mr. Bringhurst said that their street is a little island road that does not impact surrounding properties and they want out of the project. He cited some concerns with some of the blight findings.

21:41:58 Board Member Barbour said that the findings were not a reflection on the 6020 South neighborhood but, rather, representation of the overall project area.

21:42:45 Mr. Bringhurst indicated that most people on his street are elderly people who do not want to be put out of their homes if development occurs. He said their concern with eminent domain has been lessened as further explanation has been made regarding restrictions. He cited his objections to untrue statements that have been made in previous meetings. He said that the church property is still being used and is being maintained. He expressed frustrations of the people.

21:44:35 Mr. Bringhurst said that, after further discussion among 6020 South residents, they have decided to withdraw their petition.

21:44:37 Chairman Pratt called for affirmation that residents on 6020 South now wish to remain in the project. Mr. Bringhurst confirmed that is the case.

21:44:37 Board Member Rechtenbach addressed accusations made by residents and relayed that this is exactly what happened one year ago when the attorney voiced objections and then stated that residents had decided to stay in the project after all.

21:45:14 Board Member Rechtenbach asked Secretary Cheryl Cottle to provide a copy of the minutes from the meeting held one year ago by the following morning, and she agreed to do so. Mr. Rechtenbach asked that Ms. Cottle also provide the minutes to residents, if requested. He

cited his efforts to fight for residents on 6020 South. He recalled that he made the motion one year ago to have properties on 6020 South removed, but then residents later changed their minds.

21:45:58 Board Member Rechtenbach said that he believes residents are making the right decision to ask to remain in the project for now. He reiterated that he has residents' interests in mind and is willing to support them in their wishes.

21:46:29 Board Member Barbour asked for clarification on the church-owned property. Mr. Snarr relayed his understanding that the property is being used less now than it was previously. He apologized if he misstated the use of the church property and agreed with Mr. Bringhurst's earlier assessment.

21:47:40 Mayor Wall clarified that Mr. Snarr was acting on information provided by him. The Mayor said that he has been approached by the LDS Church three times while he has served as Mayor to ask that the City take over the referenced property. He said that the reason given by the Church is that the property is not being used frequently enough to justify its maintenance. He said that there are four stakes participating with the property and all four Stake Presidents must agree to dispose of the property. The Mayor indicated that there are differences of opinion between owners on use of the church property. He said that statements made by Mr. Snarr were not meant to deceive, but were based on best information provided to the City.

21:49:00 Mayor Wall apologized for the frustration felt by 6020 South residents. He cited the City's efforts to solve issues while still protecting residents. He referenced power held by residents regarding the use of eminent domain by the RDA.

21:49:38 Mr. Feil said that the City would not give up power of eminent domain relating to streets, parks, etc., but the RDA could remove their option of eminent domain. He said that the power could be reinstated through an amendment to the plan within five years. Mr. Feil noted that five years from the date the plan is adopted, the power of eminent domain expires.

21:50:27 Mr. Feil reviewed the procedures for the Board's removal of specific properties from the plan.

21:50:41 Chairman Pratt asked Mr. Bringhurst about any other issues of concern.

21:50:45 Mr. Bringhurst said that he objects to the statement that there must be demolition on the Swain property because the John Deere operation is moving.

21:51:12 Chairman Pratt said that residents' request to now remain in the project is exactly what happened last time. Mr. Bringhurst said that questions were not answered during the first hearing and residents are frustrated over not hearing any information for several months. He clarified that he is not speaking only for himself, but represents the majority of residents on 6020 South.

21:52:21 Board Member Johnson asked about a possible delay on adopting the plan until November 3, 2010. Mr. Feil said that he sees no reason to delay adoption of the plan since the residents have now asked to stay in. He explained that if something important is brought forward at a later time, the majority of the Board has the power to remove properties if they determine to do so.

21:53:26 Mr. Feil voiced his opinion that the decision to remain in the project is a good one for residents since they are no longer worried about the power of eminent domain.

21:53:41 Mr. Bringhurst said that residents on 6020 South do not want to move. Mr. Feil reminded them they have the option not to sell their property.

21:53:53 Chairman Pratt clarified that once properties are removed they cannot be reinstated in the project.

21:53:55 Board Member Barbour suggested that the drawn-out time frame has contributed to the frustration of residents and the Board should now move forward.

21:54:14 Mr. Bringhurst affirmed that he has Mr. Snarr's contact information. Chairman Pratt encouraged residents to follow up with staff if they have additional questions regarding the plan.

21:54:50 Mr. Bringhurst confirmed that he represents the 14 people who signed the petition. He noted that the only two signatures not on the petition are owners of duplexes who do not live at the property.

21:55:15 Board Member Rechtenbach clarified that if 6020 South residents remain in the project, they must initiate any future request to be removed.

21:55:35 Mr. Bringhurst indicated that residents have learned more at this hearing than at previous hearings.

21:55:47 Mr. Bringhurst stated his wish to publicly apologize to Board Member Rechtenbach for physically confronting him at the previous meeting.

21:56:09 Board Member Johnson thanked residents for providing their input.

21:56:14 Gay Bringhurst asked for further clarification on the percentages needed to block eminent domain actions.

21:56:51 Mr. Feil explained that 80% of owner-occupied properties in the phase must petition for eminent domain.

21:57:11 Further clarification was given on eminent domain restrictions for residential properties versus restrictions for commercial properties. Mr. Feil said that he is not aware of any eminent domain being used since the standards have been implemented in the statute.

21:57:51 Mr. Bob Springmeyer agreed that the standard is now so high, that he is not aware of any cases where eminent domain was used. He said that restrictions were implemented because of one particular case where one property owner refused generous offers and prohibited development, causing damage to surrounding property owners.

21:59:40 Discussion was held regarding the number of properties in Phase 1 of the project area. It was estimated that there are approximately 30 properties in that phase.

22:00:00 Bruce Wasden stated that he is acquainted with residents on 6020 South. He cited issues with access in that neighborhood, resulting from the UDOT project, and said something must be done to alleviate safety hazards. He said that the 6020 South neighborhood is an exceptional one and cited the City's responsibility to find a provision for providing better access from 6020 South onto Redwood Road.

22:02:11 Mayor Wall reviewed the history of the UDOT project and described negotiations that are currently underway to address access issues in the neighborhood. He gave assurance that the City is working on the problem and that it will get fixed. He acknowledged that he is concerned that someone will be hurt before residents can agree to a solution to improve access. The Mayor stated that there is no one solution that all residents will be happy about, but determination will have to be made regarding the safest resolution. He cited efforts of the City Engineer and others to fix access problems.

22:07:46 Inaudible discussion was held away from the microphone regarding residents' concerns with safety.

22:08:48 Doug Shupe stated that he is a resident in Dove Hollow and is president of that association. He asked for clarification regarding access in his neighborhood.

22:09:41 Jon Springmeyer cited the best scenario known at the time for dealing with access problems on Redwood Road.

22:09:52 Mr. Shupe said that City Engineer John Taylor gave assurance that only residential traffic would be directed to South Jordan Canal Road.

22:10:05 Mr. Jon Springmeyer stated that he is not a traffic engineer and does not design roads, but was asked to prepare potential expenditures and a budget to help revitalize the area. He recognized that improving access to driveways on Redwood Road would be crucial to development in the area. He said he cannot speak to putting traffic on Canal Road, as that is not his role.

22:10:55 Mr. Bob Springmeyer reminded everyone that action taken during this meeting will approve an amount and does not approve sub-elements, i.e. transportation plans, frontage road designs, etc.

22:11:31 Mr. Shupe said that residents are uncomfortable because monies are being put aside to do things that they don't want done.

22:12:12 Mr. Bob Springmeyer explained that an overall budget is being approved, but before any specific projects are done, there will be an appropriate budget process and plan review. He reiterated that nothing is being approved at this point other than an overall budget.

22:12:51 Mr. Shupe asked for promises from the Board regarding future plans for development in their area.

22:14:14 Chairman Pratt and Board Member Johnson recognized concerns of neighbors along the Canal Road.

22:14:49 Mr. Shupe asked for promises regarding no commercial use being brought onto the south Jordan Canal Road.

22:15:06 Chairman Pratt noted that even if the current RDA Board agrees to such promises, it cannot bind a future Board. Mr. Feil said that Mr. Shupe is asking for something that can't be enforced. He explained that cities and redevelopment boards are set up to follow a public process and to do the best they can in good faith for the public good. He noted the need to balance everyone's interests. He cited ongoing traffic problems in the area that will need to be resolved even if the project area is not approved at this time. Mr. Feil said that residents will be able to voice concerns as future proposals are made. He relayed that residents' taxes aren't being increased because of inclusion in the project area. He said new development will make payments.

22:17:15 Mayor Wall said that any reasonable solution to the 6020 South access problem, short of Dove Hollow, would require a public road that allows the Storage Unit Property to stay in operation. He assured that if the most likely solution is used to provide access at 6020 South, the Canal Road will be traveled by users of the Storage Unit property.

22:17:50 City Engineer John Taylor clarified that a proposal to separate commercial and residential traffic has been discussed. He said Storage Unit traffic would remain on Redwood Road.

22:18:21 Mayor Wall acknowledged that he shares the confusion of residents in this matter.

22:18:31 Mr. Taylor stated that the Jordan Canal Road cannot support commercial traffic as it now stands.

22:18:47 Board Member Johnson suggested that signs be posted prohibiting commercial traffic on Canal Road. Mr. Taylor said that the City maintains the road and signs could be posted.

22:19:31 The Mayor cited many problems and unknowns in the area and said he is not confident that UDOT will allow ingress and egress off of Redwood Road.

22:20:07 Mr. Shupe referenced the potential of greatly increased traffic problems in front of his property by allowing commercial use.

22:20:50 Mayor Wall expressed hope that a solution can be found by the City Engineer, but said he is not supportive of providing ingress/egress on Redwood Road.

22:21:11 Mr. Shupe voiced his concern that the Dove Hollow Area will be turned into a commercial area.

22:21:57 Mayor Wall said that the City will try and mitigate commercial traffic, but will not promise that it won't happen.

22:22:26 Chairman Pratt reported that one written objection was received, which has now been withdrawn, and several oral objections have been given. Mr. Feil clarified that input has been given, but no actual objections to the plan have been presented.

(1) Presentations on the above subjects by owners of property within the proposed 6200 South Redwood Road Urban Renewal Project Area, if any

22:22:48 Chairman Pratt called for any additional comments from property owners, and there were none.

(2) Presentations on the above subjects by taxing entities, if any

22:23:04 There were no presentations by taxing entities.

(3) Presentations on the above subjects by other parties having an interest, if any

22:23:09 There were no presentations by other parties.

H. Agency Board question period and response by Agency staff and consultants

1 22:23:30 Chairman Pratt called for any questions from the RDA Board Members. Chairman
2 Pratt inquired whether residents of the Dove Hollow area have considered requesting removal
3 from the project area.

4
5 22:24:05 Mr. Shupe indicated that there is power in numbers, and if residents of 6020 South
6 remain in the area, Dove Hollow residents wish to remain, as well.

7
8 22:24:37 Mr. Shupe asked for clarification from the Mayor regarding the potential of making the
9 area a gated community.

10
11 22:24:45 The Mayor said that the road could be extended further north along the church
12 boundary on the western side of 6020 South; 6020 South would be gated and the road going into
13 the storage area would be public.

14
15 22:25:09 Questions were asked that were away from the microphone and not audible. Mayor
16 Wall explained that a right turn would be made onto 6020 from the west through a gate, instead
17 of from the east. He relayed that the storage unit traffic would bypass that gate.

18
19 22:25:50 Chairman Pratt encouraged Mr. Turnbow to bring his client's written comments to Mr.
20 Snarr. Mr. Turnbow's response was away from the microphone and was inaudible. Mr. Feil
21 stated that the public hearing will be closed during this meeting, but input may be brought
22 forward at a future time. He said that the Board may consider future action, but will make a
23 decision during this time on record that is now available.

24
25 22:27:04 Board Member Barbour noted that the objection of Mr. Turnbow's client was that the
26 6020 South residents might be removed. She said she does not understand what the objection
27 would be now that those residents have changed their minds. Mr. Turnbow made an inaudible
28 response.

29
30 **3. Motion to close public hearing**

31
32 22:27:26 Board Member Bud Catlin **MOVED** to close the public hearing. Board Member Dama
33 Barbour **SECONDED** the motion. Chairman Pratt called for discussion. There being none, he
34 called for a roll call vote. The vote was as follows: Rechtenbach-yes, Johnson-yes, Catlin-yes,
35 Barbour-yes, and Pratt-yes. **All Board Members voted in favor and the motion passed**
36 **unanimously.**

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1 **4. Summary regarding proposed findings of Agency - *Randall Feil***

2
3 22:28:00 Legal consultant Randall Feil presented a summary of the proposed findings of the
4 Agency Board, as outlined in Section 5. He said that it is appropriate that the Board adopt the
5 findings separate from Resolution 10-06. He referenced Findings A through F and reviewed
6 them for the Board, as follows:
7

8 A. There is a need to effectuate a public purpose, and implementation of the
9 Project Area Plan would accomplish the public purposes set forth in the Act, including but
10 not limited to the elimination of blight, blight factors and blighting influences within the
11 Project Area.
12

13 B. There is a public benefit under the analysis described in Section 17C-2-
14 103(2), which analysis is set forth in the Project Area Plan, which public benefit would
15 accrue through the adoption and implementation of the Project Area Plan.
16

17 C. It is economically sound and feasible to adopt and carry out the Project Area
18 Plan.
19

20 D. The Project Area Plan conforms to the City of Taylorsville's general plan.
21

22 E. Carrying out the Project Area Plan will promote the public peace, health,
23 safety and welfare of the City of Taylorsville.
24

25 F. The Agency Board previously made and adopted its findings of blight.
26

27 **5. Consideration of findings, and adoption of findings by motion**

28
29 22:32:09 Board Member Jerry Rechtenbach **MOVED** to approve Findings A through F in
30 Section 5 of the Agency. Board Member Dama Barbour **SECONDED** the motion. Chairman
31 Pratt called for discussion. There being none, he called for a roll call vote. The vote was as
32 follows: Rechtenbach-yes, Johnson-no, Catlin-yes, Barbour-yes, and Pratt-no. **All Board**
33 **Members voted and the motion carried with a 3 to 2 vote.**
34

35 **6. Consideration and adoption of Resolution No. RDA 10-06 -- Adopting the "6200**
36 **South Redwood Road Urban Renewal Project Area Plan" dated September 10, 2010**

37
38 22:33:36 Mr. Feil described changes made to the resolution and the plan, in order to remove the
39 Jordan School District properties referenced earlier. He distributed red-lined versions of the
40 resolution and the plan.
41

1 22:33:48 The specific red-line changes were reviewed and discussed.

2
3 22:40:38 Board Member Bud Catlin stated that the changes made should have been provided to
4 the Council Coordinator by the packet deadline in order to allow timely review by the Board.

5
6 22:41:46 Board Member Johnson expressed concern regarding rushing into decisions. He
7 referenced the deadline, but stated his disagreement with how fast the Board is moving on these
8 issues.

9
10 Mr. Feil clarified that Resolution RDA 10-06 adopts the project area plan and both the plan and
11 the resolution have been modified to exclude the six properties mentioned. He said that the
12 changes became necessary earlier in the day when discovery was made regarding the Jordan
13 School District properties.

14
15 22:41:58 Board Member Dama Barbour **MOVED** to approve Resolution RDA 10-06 – Adopting
16 the “6200 South Redwood Road Urban Renewal Project Area Plan,” with the red-lined revisions
17 as reviewed. Board Member Jerry Rechtenbach **SECONDED** the motion. Chairman Pratt
18 called for discussion. Board Member Catlin stated that the need for changes should have been
19 discovered earlier. Board Member Rechtenbach agreed that they should have been brought
20 forward sooner. There being no further discussion, Chairman Pratt called for a roll call vote.
21 The vote was as follows: Rechtenbach-yes, Johnson-yes, Catlin-yes, Barbour-yes, and Pratt-yes.
22 **All Board Members voted in favor and the motion passed unanimously.**

23
24 **7. Consideration and adoption of Resolution No. RDA 10-07 -- Adopting the “6200**
25 **South Redwood Road Urban Renewal Project Area Budget”**

26
27 22:46:37 Board Chairman Morris Pratt **MOVED** to approve Resolution RDA 10-07 – Adopting
28 the “6200 South Redwood Road Urban Renewal Project Area Budget.” Board Member Dama
29 Barbour **SECONDED** the motion. Chairman Pratt called for discussion. Board Member
30 Johnson inquired about the budget total. Chairman Pratt indicated that the total is included in the
31 packet. There being no further discussion, Chairman Pratt called for a roll call vote. The vote
32 was as follows: Rechtenbach-yes, Johnson-yes, Catlin-yes, Barbour-yes, and Pratt-yes. **All**
33 **Board Members voted in favor and the motion passed unanimously.**

34
35 **8. Consideration of Resolution No. RDA 10-08 -- “5400 South and Bangerter Highway**
36 **Redevelopment Action Plan”**

37
38 22:48:59 Economic Development Director Keith Snarr referenced the 5400 South and Bangerter
39 Highway Redevelopment Action Plan, as provided to RDA Board Members for review a month
40 earlier. He indicated that this plan combines efforts of the Urban Renewal Project Area at 5400
41 South and Bangerter Highway, plus the Community Development Project Area. Mr. Snarr said

1 that this Action Plan serves as a supporting document to outline details of the projects that are
2 being moved forward in the area.

3
4 22:50:16 Board Member Jerry Rechtenbach **MOVED** to approve Resolution RDA 10-08 –
5 “5400 South and Bangerter Highway Redevelopment Action Plan.” Board Member Larry
6 Johnson **SECONDED** the motion. Chairman Pratt called for discussion. There being none, he
7 called for a roll call vote. The vote was as follows: Rechtenbach-yes, Johnson-yes, Catlin-yes,
8 Barbour-yes, and Pratt-yes. **All Board Members voted in favor and the motion passed**
9 **unanimously.**

10
11 **9. Approval of RDA Minutes of September 8, 2010 and September 15, 2010**

12
13 22:50:46 Board Member Jerry Rechtenbach **MOVED** to approve the RDA Minutes of
14 September 8, 2010 and the RDA Minutes of September 15, 2010. Board Member Bud Catlin
15 **SECONDED** the motion. Chairman Morris Pratt called for discussion. There being none, he
16 called for a roll call vote. The vote was as follows: Rechtenbach-yes, Johnson-yes, Catlin-yes,
17 Barbour-yes, and Pratt-yes. **All Board Members voted in favor and the motion passed**
18 **unanimously.**

19
20 **10. Other Agency business**

21
22 22:51:29 There were no additional matters of agency business.

23
24 **11. Motion to adjourn Redevelopment Agency Meeting**

25
26 22:51:38 Board Member Jerry Rechtenbach **MOVED** to adjourn the Redevelopment Agency of
27 Taylorsville City Meeting and reconvene the regular City Council Meeting. Board Member
28 Larry Johnson **SECONDED** the motion. Chairman Pratt called for discussion. There being
29 none, he called for a roll call vote. The vote was as follows: Rechtenbach-yes, Johnson-yes,
30 Catlin-yes, Barbour-yes, and Pratt-yes. **All Board Members voted in favor and the motion**
31 **passed unanimously.** The RDA Board Meeting was adjourned at 10:51 p.m.

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38 Cheryl Peacock Cottle, Secretary
39 Minutes approved: RDA 12-08-10