MINUTES OF THE MEETING OF THE REDEVELOPMENT AGENCY OF LAYTON CITY

FEBRUARY 7, 2019 – 5:45 P.M.

BOARDMEMBERS AND OFFICERS PRESENT: **CHAIRMAN SCOTT FREITAG, VICE CHAIRMAN BRUCE DAVIS, EXECUTIVE DIRECTOR ALEX JENSEN, BOARDMEMBERS JOYCE BROWN, TOM DAY AND JOY PETRO**

STAFF PRESENT: **GARY CRANE, LON CROWELL, DAVID PRICE, JOELLEN GRANDY, AND SECRETARY, KIM READ**

The meeting was held in the Council Conference Room of the Layton City Center.

Chairman Freitag opened the meeting.

MINUTES:

Boardmember Petro moved to approve the minutes of August 16, 2018, as written. Vice Chairman Davis seconded the motion, which passed unanimously.

AGENDA:

ELECTION OF VICE-CHAIRPERSON

MOTION: Boardmember Brown moved to re-elect Vice Chairperson Davis and other officers as currently constituted of the Redevelopment Agency; and Scott Freitag as Chairman. Boardmember Day seconded the motion, which passed unanimously.

PARTIAL TRANSFER OF AN INTEREST IN THE AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY (RDA) OF LAYTON CITY AND BOOTHE FAMILY TRUST

Gary Crane, City Attorney, explained when Bill’s Comfort Systems entered into an agreement for relocation from Main Street to the corner of Antelope Drive/Fort Lane, there were certain conditions within the agreement: #1 – the building would be constructed by Mr. Boothe, and #2 – he would operate the business at that location for at least one year. He reported Mr. Boothe still intended to construct the building at that location; however, he had received an offer to sell the company, Bill’s Sheet Metal.

Mr. Crane reported Mr. Boothe had indicated everything would remain the same and operate the same as when he owned the business. Mr. Crane stated in order for Mr. Boothe to sell the business, he would need the RDA’s approval. He added the agreement allowed for that transfer if approved by the Board. He indicated if the request was approved by the Board during this meeting, Staff would draft a letter to Mr. Boothe granting him that opportunity which would be signed by the Chair.

Vice Chair Davis inquired if there would be a downside to the City in granting Mr. Boothe’s request. Mr. Crane responded the City would require the exact same business to locate and operate at that location and didn’t believe there would be downside. He added if there was, the owner would be held to the same penalties identified in the agreement. He pointed out the City would enter into an agreement with the new owner. He emphasized the new owner would be held to the same conditions as Mr. Boothe in that the business would need to operate one year after relocation.

Boardmember Brown clarified once the one year obligation had been met any new business would need to meet the standards identified for the APZ (Accident Potential Zone). Boardmember Day clarified that once the one year time obligation was met, that portion of the agreement would be considered fulfilled and Alex Jensen, Executive Director, and Mr. Crane responded in the affirmative.

Boardmember Day expressed his sorrow regarding Mr. Boothe's potential sale of the business and a discussion followed. Mr. Jensen indicated Mr. Boothe would maintain some ownership to ensure continuity for his employees. He believed this would allow a third party to have interest in the agreement and once the business was sold, an agreement would formally take place between the RDA and the new owner regarding stipulations moving forward.

MOTION: Boardmember Brown moved to approve the partial transfer of an interest with Bill's Sheet Metal business in the agreement between the Redevelopment Agency (RDA) of Layton City and Boothe Family Trust. Vice-Chair Davis seconded the motion, which passed unanimously.

Mr. Crane clarified Mr. Boothe would retain ownership of the property and indicated he would lease to the new owner if he proceeded with the sale of the business. He emphasized the RDA would require the new owner to operate the same type of business for at least one year; at which time Mr. Boothe would no longer be under any obligation to the RDA and would be free to sell the property, the business, or both.

Boardmember Day pointed out the agreement called for the building to be constructed and the business operating by December 31, 2020. Mr. Crane responded that was correct.

The meeting adjourned at 5:52 p.m.

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Kimberly S Read, Secretary