

# Cedar City

10 North Main Street • Cedar City, UT 84720  
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www.cedarcity.org

**Mayor**  
Garth O. Green

**Council Members**  
Terri W. Hartley  
Craig E. Isom  
W. Tyler Melling  
R. Scott Phillips  
Ronald Riddle

**City Manager**  
Paul Bittmenn

**REDEVELOPMENT AGENCY WORK MEETING**  
**SEPTEMBER 20, 2023**  
**5:30 p.m. or as soon thereafter as the meeting is called**

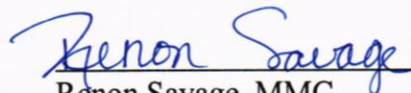
The Cedar City Redevelopment will be held Council Chambers at the City Office, 10 North Main Street, Cedar City, Utah, at 5:30 p.m. or as soon thereafter as the meeting is called.

I. Call to Order

II. Business Agenda

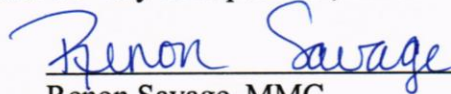
1. Public hearing to consider an ordinance vacating an RDA-owned city right-of-way located at 60 South Main Street. Steve Nelson/Randall McUne
2. Public hearing to consider an ordinance vacating an RDA-owned city power line easement located at 60 South Main Street. Steve Nelson/Randall McUne
3. Consider bids for the South Main Street Lighting Project Phase 1. Jonathan Stathis

Dated this 18<sup>th</sup> day of September 2023.

  
Renon Savage, MMC  
City Recorder

**CERTIFICATE OF DELIVERY:**

The undersigned duly appointed and acting recorder for the municipality of Cedar City, Utah, hereby certifies that a copy of the foregoing Notice of Agenda was delivered to the Daily News, and each member of the governing body this 18<sup>th</sup> day of September, 2023.

  
Renon Savage, MMC  
City Recorder

Cedar City Corporation does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

If you are planning to attend this public meeting and, due to a disability, need assistance in accessing, understanding or participating in the meeting, please notify the City not later than the day before the meeting and we will try to provide whatever assistance may be required.

REDEVELOPMENT AGENCY

AGENDA ITEMS – 142

TO: Mayor and City Council  
FROM: City Attorney  
DATE: September 18, 2023  
SUBJECT: Request to vacate power line easement and an unused right of way at approximately 60 S Main Street.

DISCUSSION:

Pursuant to the Planning Commission's discussion to vacate a power line easement and a right of way at approximately 60 S Main, the two attached ordinances were prepared. The easement and right of way, listed in the attached ordinances and shown on the attached map, interfere with the intended construction of a hotel that has been working its way through the City's process for approval. The right of way is not currently used. The power line easement is currently in use, and, if the request to vacate the easement is granted, then that vacation should be held contingent upon the establishment of an alternate easement and necessary construction and connection of the replacement power line, effectively moving the easement to a location convenient to the property owner and the City.

These proposed changes are consistent with the desires of the property owners, and City staff have no objection. The Planning Commission gave a **positive** recommendation to both requests. Please consider whether to pass these ordinances vacating the current power line easement and unused right of way.



3 PUBLIC HEARING

Vacate Road Right of Way approx. 60 S. Main Nelson/Ensign Engineering  
(Recommendation)

**Josh Nowell:** What we would like to do, if you are familiar with downtown, in this particular block, there is a lot going on there, or was as far as with easements and right of ways, and access. There is an access right of way easement which goes into where our hotel will be built. This right of way was to access power easement, which when Guidance bought this piece of property, all those easements were bought with it so he owns all of those now they were vacated by I believe the city. This access to that and these power poles the poles are going to be taken down and power is being re routed around, its all going to be different now. And this easement falls right over the top of where the hotel is going to be built. Larger one is right of way. There are some boxes that supply power to a light pole, which I believe that is a city owned pole which will be rerouted, not sure where it is going to go yet, but what we are asking is we vacate the right of way, we do away with this easement, and we will grant a new easement to the power where ever it is ran and access to the light pole on the property.

**Jonathan:** Only concern was to make sure we get a new easement in place to provide power to the streetlight. Recommendation made to City Council would be contingent on getting the new easement in place.

**Isom:** We don't have any issue with the road right of way, just the one easement.

**Jonathan:** I am not sure exactly why there was a right of way put in place there.

**Steve Nelson:** Collage Ave used to be a city road, and that would have granted them to be able to get to the middle of the middle of block. When city vacated College Ave. they put in the other one so they could still get to power pole. That is the history, now all the power poles will be going underground. There will be no utility whatsoever for the city to have that.

Public Hearing opened.

Public Hearing closed.

**Craig Isom moves for positive recommendation to vacate road right of way at approx. 60 S Main Street**

**Carter Wilkey seconds, All in favor for a unanimous vote.**