

Minutes of the regular meeting of the Ogden City Council held on Tuesday, May 7, 2024, at 6:00 p.m., in the Council Chambers, and via electronic meeting, on the third floor of the Municipal Building, 2549 Washington Boulevard, Ogden City, Weber County, Utah.

Present: Chair Ken Richey
 Vice Chair Marcia L. White
 Council members Bart E. Blair
 Angela Choberka
 Dave Graf
 Richard A. Hyer
 Shaun Myers

Council Executive Director Janene Eller-Smith
Council Deputy Director Glenn Symes
Council Policy Analyst Steve Burton
Communications and Public Engagement Coordinator Brandon Garside

Also present: Mayor Benjamin K. Nadolski
 Chief Administrative Officer Mara A. Brown
 City Prosecutor Greg Burdett
 Business Development Manager Sara Meess
 Deputy Business Development Manager David Sawyer
 Planning Manager Barton Brierley
 Community Development Manager Jeremy Smith
 Management Services Director Lisa Stout
 Comptroller Justin Sorensen
 Financial Analyst Michelle Giovo
 Project Coordinator Cathy Fuentes
 Marketing and Communications Administrator Mike McBride
 Building Services Manager Chris Tremea
 City Recorder Tracy Hansen

At the request of the Chair, all present stood and recited the Pledge of Allegiance led by Vice Chair White.

A moment of silence was observed.

Acknowledgements:

- Carolyn Brierley representing the Get Out and Live (GOAL) Foundation, provided the Council with information about the 2024 Ogden Marathon, which will be held May 18, 2024.
- Council member Hyer announced a ribbon cutting event on May 18, 2024, for the Shoshone-Bingham Fort historical monument to be placed at the corner of 2nd Street and Wall Avenue.
- Council member Hyer acknowledged Mother's Day, May 12, 2024.
- Council member Choberka acknowledged the Cinco De Mayo event held at the Ogden Amphitheater.

Approval of Minutes

Council member Myers stated he had reviewed the minutes of the joint work session and regular meeting of April 2, 2024 and found them to be accurate to the best of his recollection.

COUNCIL MEMBER MYERS THEN MOVED TO APPROVE THE MINUTES AS PRESENTED. MOTION WAS SECONDED BY COUNCIL MEMBER HYER, ALL VOTING AYE.

Proposed Joint Resolution 2024-1 establishing governing financial principles relating to general financial management, user fees, capital improvements, debt, investments, and reserves

A memo from Council staff regarding the Fiscal Year (FY) 2024-2025 financial principles came before the Council for consideration. The memo stated the proposed FY2025 Financial Principles include the following:

- Changing the consideration of a property tax increase from every other year to an option of every year;
- A statement that a Five-Year Financial Strategic Plan will be completed in FY25;
- Changing the language regarding minimum operating reserves from setting a goal of 20 percent to maintaining

- 20 percent; and
 - Minor changes in grammar and punctuation.
- Chair Richey introduced in writing proposed Joint Resolution 2024-1, entitled:
 “A joint resolution of Ogden City Council and Mayor Benjamin K. Nadolski establishing governing financial principles relating to general financial management, user fees, capital improvements, debt, investments, and reserves.”

ON A MOTION BY COUNCIL MEMBER CHOBERKA AND SECONDED BY COUNCIL MEMBER BLAIR, JOINT RESOLUTION 2024-1 WAS ADOPTED UPON THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS BLAIR, CHOBERKA, GRAF, HYER, MYERS, VICE CHAIR WHITE, AND CHAIR RICHEY. VOTING NO – NONE.

Vice Chair White asked that the adopted financial principles be posted online on the City Council’s website.

Proposed Resolution 2024-3 adopting changes to the Home Exterior Loan Program; AND

Proposed Resolution 2024-4 adopting the Annual Action Plan for the period July 1, 2024, through June 30, 2025, and directing that this document be submitted to the U.S. Department of Housing and Urban Development

A memo from the Community and Economic Development Department regarding the Fiscal Year (FY) 2024-2025 Annual Action Plan (AAP) came before the Council for consideration. The memo stated when receiving federal funds for economic development and housing programs, the City is required to submit a Consolidated Plan (ConPlan) to the Department of Housing and Urban Development (HUD) every five years. The current plan covers the period between Fiscal Year (FY) 2021, beginning July 1, 2020, and FY 2025, ending June 30, 2025. The Consolidated Plan is part of the City’s application to HUD for Community Development Block Grants (CDBG) and HOME grant funding. Along with the Consolidated Plan, the City must prepare and submit an Annual Action Plan each year as part of the annual application for funds. The Annual Action Plan indicates how funding will be used during the coming year and how the grant funds will further the goals in the Consolidated Plan. It establishes annual goals and outcomes for programs and projects funded by the CDBG and other federal grant funds. The FY25 Annual Action Plan is for the fifth and final year of the five-year ConPlan period. A new five-year ConPlan will be proposed in spring 2025. Ms. Fuentes used the aid of a PowerPoint presentation to expound on the manner in which AAP and ConPlan funding will be programmed in FY24-25. For a copy of the PowerPoint presentation in its entirety see the information packet. Additionally, as a part of the AAP and the City’s administration of Community Development Block Grant funding, program guidelines are developed for specific programs targeting specific needs. The program guidelines serve as general parameters for how the City will use funding for that particular program. These programs guidelines are referred to in the AAP but are developed and adopted entirely by the City. Amending the program guidelines is done through a resolution adopted by the City Council. The Administration is proposing several changes to the guidelines for the Home Exterior Loan Program (HELP). The changes would increase the interest rate from three percent to four percent for 10-year loans and increase the rate from four percent to five percent for 15-year loans. The changes would also introduce income eligibility requirements for applicants which would be at or below area median income. Lastly, the changes include eligibility for homes that have housing hazards as identified by HUD’s Healthy Homes Program.

Community Development Manager Smith summarized the memo and used the aid of a PowerPoint presentation to expound on the manner in which AAP and ConPlan funding will be programmed in FY24-25. For a copy of the PowerPoint presentation in its entirety see the information packet.

Chair Richey introduced in writing proposed Resolution 2024-3, entitled:

“A resolution of the Ogden City Council adopting changes to the Home Exterior Loan Program.”

Chair Richey introduced in writing proposed Resolution 2024-4, entitled:

“A resolution of the Ogden City Council adopting the Annual Action Plan for the period July 1, 2024 through June 30, 2025, and directing that this document be submitted to the U.S. Department of Housing and Urban Development.”

Chair Richey then opened the public hearing.

Angel Castillo stated she is pleased with some of the elements of the AAP, but displeased with other programs that the Council continues to support dating back to 2018, even though the programs are flawed. She supports the changes to the HELP program, but seriously questions the goals of the AAP relating to the rehabilitation of five properties and construction of one new residential unit. There are no parameters for ‘flipping homes’ and the program supports property sales at market rate. The City needs to consider other options that would provide for affordable housing. The City and the State of Utah are in the middle of a housing crisis, yet Administration and the Council continue to do things the way they have always been done. She suggested exploring options for maintaining the existing housing stock and making that stock available to those in the low-income bracket. She encouraged the City to study what other cities are doing in terms of workforce housing as well.

Teresa Bramwell stated tonight is the first she has heard about the housing programs included in the AAP; she asked if zoning of a property is considered as part of an application for home repair funds. She stated there are so many homes in Ogden City that are part of a commercial or manufacturing zone and she wondered if housing funds would be granted to those types of properties.

There being no further persons appearing to be heard, **COUNCIL MEMBER HYER MOVED THE PUBLIC HEARING BE CLOSED. MOTION WAS SECONDED BY COUNCIL MEMBER MYERS, ALL VOTING AYE.**

Chair Richey invited Mr. Smith to respond to the questions asked during the public hearing.

Mr. Smith addressed Ms. Bramwell's question about a property's eligibility for a HELP loan. A property must be a home, not a commercial property, in order to receive a loan. He understands there are homes located in commercial zones and as long as the home can be occupied in a residential manner, it will qualify for a HELP loan. He then addressed Ms. Castillo's comments; he noted that he is not aware of any problems with individuals using any housing program to flip a residential property. There are specific guidelines from the U.S. Department of Housing and Urban Development (HUD) and specific housing programs have been included in Ogden's AAP based upon the needs of the community. Those programs can be reevaluated every five years, with the current five-year term ending in 2025. He stated that many of the City's programs have been successful, even if the total number of housing units per program may sound low; over the years, the City has completed hundreds of housing projects and these projects synergize private investment in the surrounding neighborhoods. The programs have been a great tool for home renovation and neighborhood revitalization, and they provide home ownership opportunities to many. Homes in the community may sound expensive, but the Ogden market is one of the most attainable home ownership markets in the State of Utah. The State of Utah is always recommending housing ideas and Ogden will continue to consider those ideas, but many have already been implemented in the City and have been effective.

Chair Richey asked Mayor Nadolski to expound on the recent recognition Ogden City received from the State Legislature regarding housing efforts. Mayor Nadolski credited past Administration for the recognition; Ogden City has been congratulated on programs that help to address housing affordability. He added that Administration will be working on appropriate changes to the AAP for the next five-year ConPlan period. These changes will align with ongoing conversations at the State level.

ON A MOTION BY COUNCIL MEMBER CHOBERKA AND SECONDED BY COUNCIL MEMBER BLAIR, RESOLUTION 2024-3 WAS ADOPTED UPON THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS BLAIR, CHOBERKA, GRAF, HYER, MYERS, VICE CHAIR WHITE, AND CHAIR RICHEY. VOTING NO – NONE.

Chair Richey noted that after the information packet for this meeting was posted, Council staff received information from HUD regarding the adoption of the AAP. He asked Council Deputy Director Symes to summarize that information. Mr. Symes noted that HUD was required to provide the City with entitlement numbers for the CDBG and HOME programs. He asked the Council to accept a substitute resolution and AAP document with the corrected numbers from HUD. The corrected numbers were included in Mr. Smith's presentation.

COUNCIL MEMBER HYER MOVED TO ACCEPT THE SUBSTITUTE FOR THE EXHIBIT FOR RESOLUTION 2024-4; THE DRAFT AAP SHOULD BE REPLACED BY THE FINAL AAP AS DISCUSSED BY MR. SYMES. COUNCIL MEMBER GRAF SECONDED THE MOTION, ALL VOTED AYE.

ON A MOTION BY COUNCIL MEMBER HYER AND SECONDED BY COUNCIL MEMBER MYERS, RESOLUTION 2024-4, WITH SUBSTITUTED EXHIBIT, WAS ADOPTED UPON THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS BLAIR, CHOBERKA, GRAF, HYER, MYERS, VICE CHAIR WHITE, AND CHAIR RICHEY. VOTING NO – NONE.

Proposed Ordinance 2024-12 addressing complaints about residential vacation rentals, specifically concerns of parking, noise, and ensuring owner occupancy for units meant to be owner-occupied

A memo from the Community and Economic Development Department regarding proposed short term rental ordinance amendments came before the Council for consideration. The memo stated Planning Division staff have proposed a zoning ordinance text amendment regarding residential vacation rentals. The proposed text amendment is meant to address complaints about residential vacation rentals, specifically concerns of parking, noise, and ensuring owner occupancy for units meant to be owner-occupied. The Planning Commission has recommended that the Council adopt the proposed ordinance. The City Council discussed the proposal in work session on March 12, 2024. Much of the discussion was about the parking issue that the proposal is trying to address. At the request of the Council, the Planning Division presented other options to address parking, including requiring the owner to be present during the duration of a rental period. Several Council members expressed interest in receiving community feedback about the issues that the ordinance will address. A FlashVote survey was conducted during the second week of April to receive community feedback about issues like parking and parties and on April 23, 2024, a representative from FlashVote explained the short-term rental community survey results and the council discussed the proposal in work session.

Planning Manager Brierley summarized the memo and used the aid of a PowerPoint presentation to reiterate the proposed ordinance amendments and summarize the previous discussion between Planning staff and the City Council regarding the proposal. For a copy of the PowerPoint presentation in its entirety see the information packet. Mr. Brierley also noted that the Planning Division, after hearing Council member concerns with the proposed "no street parking" language, has provided a "potential amendment" to the section that prohibits street parking. The potential amendment includes a motion that a Council member could make, when considering the draft ordinance, that would remove the street parking prohibition, but would still require that an applicant show they have adequate on-site parking.

Council member Blair asked Mr. Brierley if someone could purchase a home and immediately use it as a long-term rental property, based upon the proposed ordinance. Mr. Brierley answered yes; the three-year waiting period would only apply to a short-term rental operation. Council member Blair stated that he is concerned about the difficulty with enforcing regulations related to on-street parking. Mr. Brierley stated that currently, the City does not have any tools to regulate on-street parking associated with a short-term rental; the proposed ordinance would help to address that matter.

Council member Choberka asked if a long-term rental is defined as longer than 30 days, to which Mr. Brierley answered yes. She asked if anything under 30 days is classified as a short-term rental, to which Mr. Brierley answered yes.

Chair Richey introduced in writing proposed Ordinance 2024-12, entitled:

“An ordinance of Ogden City Utah, amending the Ogden Municipal Code by amending Subsection 4-6-1.A; amending Subsection 5-1b-2.C; amending Section 5-2D-1; amending Section 5-9-1; amending Section 12- 17-2; amending Subsection 15-1-17.D; amending Section 15-2-19; amending Section 15-2-20; amending Subsection 15-6-3.H; amending Section 15-13- 38; amending Subsection 15-13-39.C; amending Section 15-15-2; amending Section 15-16-2; amending Section 15-17-2; amending Section 15-18-2; amending Section 15-19-2; amending Subsection 15-34-3.B; amending Section 15-35-2; amending Section 15-36-2; amending Section 15-37-2; amending Section 15-39-8.C; and amending Subsection 15-43-2 to revise provisions related to residential short-term rentals; and by providing that this ordinance shall become effective immediately upon posting after final passage.”

Chair Richey then called for public input regarding the proposal.

Teresa Bramwell stated that zoning in Ogden City is problematic because it is so restrictive. She noted that Mr. Brierley classifies short-term rental units as a commercial business operation, but she does not understand why a short-term rental would not be allowed in a commercial zone. It seems more appropriate to allow short term rentals in commercial areas; there are so many homes that are located in a commercial zone, but the owners of those properties are being unfairly restricted and prevented from using their property as they desire. She added her second concern relates to complaints from neighboring property owners; the City must be very specific in determining what qualifies as a neighboring property and how they must identify themselves in order to make a complaint. She stated that it has been her experience that anonymous complaints are prevalent in the State of Utah and multiple complaints can be lodged by a small group of people with a political agenda behind their complaints. If the goal of the proposed ordinance is to make neighboring property owners happy, it is necessary to require those individuals to identify themselves.

Carol Jackson stated she has been involved in emergency preparedness in her neighborhood and this caused her to consider the services that would need to be provided to short term rental properties. She has learned there are five short term rentals in her immediate area, four within a half-block walking distance, and she asked how the City defines the term ‘linear block’ as it applies to short term rentals. She wondered if the City would need to provide emergency response support to those properties or if they could be made of better use if they were available for purchase by someone in need of a home in the community. She also learned that Ogden City is aware of just 19 licensed short term rental properties and none of the five in her neighborhood are on that list. She asked what resources and tools the City will have to enforce the ordinance; there are at least 300 short term rentals in the community based upon online listings for the properties.

Linda Sanchez stated that instead of trying to place roadblocks in front of the owners of short-term rental properties, the City should be trying to find ways to make their business successful. The use could generate tax revenue for the City and she suggested the City offer incentives to encourage licensure and proper maintenance. If someone has not had any complaints about or request for police service, they could be given a break on their license cost. She noted that some people will never be satisfied, and she does not want someone’s success with a short-term rental business to be based upon an upset neighbor that will never be happy.

David Willis stated he is very passionate about the issue of short-term rentals; he fully supports locating a short-term rental in a commercial zones but not in residential zones. He stated the concept that someone has a right to open a commercial operation in a residential neighborhood is problematic. A short-term rental is a high impact commercial operation that has the potential to impact neighboring properties 24-hours per day. He would actually prefer a car repair business in his neighborhood over a short-term rental because the car repair business will at least have regular business hours and a limited impact. If someone wants to run a commercial business, they should find property in a zone where their desired business is allowed. Dramatic financial harm is done to a property located next to a short-term rental, especially if the business is poorly run. This should not be about maximizing profit for one individual over another, but about benefitting the community at large.

Angel Castillo stated she is pleased the Council is carefully considering this and she thanked Mr. Brierley for his work, but she asked that the Council table action on the proposed ordinance because it needs more discussion and refinement. She applauded the three-year waiting period as an attempt to keep a large corporation from buying homes to convert to short term rentals, but she noted that could be too long a waiting period for some. She referenced the FlashVote results and noted that 75.8 percent of people surveyed indicated they do not believe there are any short-term rentals in their neighborhood. She stated there are different ways to approach this issue, but if there are opportunities for addressing things like noise nuisances versus parking violations.

Sara Toliver stated she is with Visit Ogden, and she wished to thank Ogden City staff for their efforts to collaborate with Visit Ogden and other community partners to do what is right for the community. She noted a great deal of thought has gone into this proposed ordinance, with involvement from Planning staff, Visit Ogden, short term rental property owners, and other private property owners. It is important to make the outcome of this issue beneficial to the community and she believes that the proposed ordinance will help to enhance tourism opportunities while giving homeowners the opportunity to earn additional income. The ordinance may not be perfect, but it is the best possible framework for the protection of residential neighborhoods and will promote positive visitor impact.

Jared Allen stated that he was involved in drafting the proposed ordinance; he feels the policy will help to address noise complaints and parking issues and he also believes that it will help to encourage legal licensure of a short-term rental property. He is impressed with the outcome of the process that led to the proposed ordinance and he encouraged Council support of the

ordinance.

No additional persons came forward to be heard

Council member Hyer asked Ms. Toliver if she has a position regarding whether to allow short-term rentals in commercial zones. Ms. Toliver stated that when the group was reviewing the proposed ordinance, it was clear that the use is not presently allowed in commercial zones; however, she thinks that the commercial zones are appropriate for short term rentals and the City should actually be encouraging the use in commercial areas because that will not only lessen the burden on residential neighborhoods, but it will also move people closer to downtown Ogden where there are greater opportunities for economic impact.

Chair Richey asked if the City receives any tax revenue from a short-term rental that is not licensed with the City. Ms. Toliver stated that if a unit is not registered, the City is losing out on its business license fee, but most short-term rental owners post their units on a listing site and the State of Utah collects tax revenue from those properties; this means that the City receives a portion of transient room tax (TRT) revenue.

Council member Graf asked for input from Building Services Manager Tremea. Mr. Tremea stated that without monitoring or enforcement, any property could give the appearance of a commercial property and this could lead to complaints. He added that any person has the right to make an anonymous complaint, and this cannot be changed by any government official; the City staff must accept and document any complaint it receives. He added that he agrees with Ms. Sanchez's recommendation for the City to work with property owners and business owners to help make them successful; the Code Services Division works to collaborate with any property owners it encounters to help accomplish the goals of the City's property maintenance codes. He also addressed Ms. Jackson's comments about emergency preparedness and indicated he feels it is appropriate to be prepared to provide support to any individual located in a neighborhood whether they are permeant owners, long term renters, or short-term renters. He feels the proposed ordinance will be effective and can be enforced by Code Services.

Council member Blair inquired as to the cost of the business license for a short-term rental property. Mr. Tremea stated he believes the license application fee is \$100. Council member Blair inquired as to the penalty for a short-term rental operating without a license. Mr. Tremea stated currently the City can issue a notice of violation before proceeding to issuance of a civil penalty, which will escalate in cost every 15 days; if the proposed ordinance is adopted, the City can simplify and streamline the noticing and citation process in a way that incentivizes compliance. Council member Blair stated that in past discussions of this matter, all parties have acknowledged there are some short-term rental properties that are 'repeat offenders', while others have never been problematic for neighboring property owners or the City. However, there will be some people that do not want a short-term rental in their neighborhood, and they will always find something to complain about. Mr. Tremea agreed and noted that those types of circumstances are typically identified through a thorough code enforcement investigation.

Council member Choberka stated that she appreciates Mr. Tremea's approach to code enforcement and she believes he will be fair in his application of the proposed ordinance if it is adopted; however, when the current Council members or City staff are no longer employed by the City, the ordinance could be enforced in a more punitive manner and that is cause for concern. She also added that there is confusion about the differences between different types of rental properties and this can be cause for complaints from neighboring property owners. Mr. Tremea agreed; most problems that arise at a short-term rental are self-regulating based upon the review system afforded to the property owner and the tenant; however, for cases that escalate and persist, the City can take enforcement action.

Chair Richey asked Mr. Brierley to answer the question about the definition of a linear block. Mr. Brierley stated that a linear block is defined by property addresses; for example, all homes numbered between 1400 and 1499 on a given street would be classified as a linear block.

Discussion among the Council and staff then centered on the City's ability to effectively enforce the current ordinance and the manner in which the proposed ordinance could improve enforcement; this led to a focus on the suggested edit to the ordinance language regarding on street parking, which Mr. Brierley read for the record as follows:

"Modify the proposed Ogden Municipal Code Subsection 15-13-3.J.5 to remove the phrase, "For short-term rentals in residential zones, guests may not park on the street within two blocks of the short-term rental. The owner is subject to the penalties described in this title for each violation."

[6]5. On-Street Parking: On-street parking may not be used to satisfy the parking requirements for a [residential vacation] short-term rental. ~~For short term rentals in residential zones, guests may not park on the street within two blocks of the short term rental. The owner is subject to the penalties described in this title for each violation.~~

Mr. Brierley noted that he believes the amendment will make it more difficult for code enforcement staff to address on-street parking complaints from neighboring property owners. This led to philosophical discussion among the group regarding the need for short term rental property owners to attempt to address the nuisance complaints through their rental contracts.

Council Policy Analyst Burton noted that the Council is not required to accept the modification that was provided by Planning staff; he summarized the options available to the Council this evening ranging from adopting the ordinance as presented, adopting as modified, or denying or tabling action on the proposal.

ON A MOTION BY COUNCIL MEMBER HYER AND SECONDED BY COUNCIL MEMBER MYERS, ORDINANCE 2024-12 WAS ADOPTED UPON THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS HYER, GRAF, MYERS, AND CHAIR RICHEY. VOTING NO – COUNCIL MEMBERS BLAIR, CHOBERKA, AND VICE CHAIR WHITE.

Council members Blair and Choberka expressed that they would have preferred to adopt the version of the ordinance with the modification relating to on-street parking; however, Council member Blair wished City staff luck in working to address the concerns that have been raised regarding short term rental properties using the newly adopted ordinance. Council member

Choberka added she does not feel the parking regulations are equitable for all types of rental properties and commercial businesses and she wished to address that issue.

Council member Graf stated he believes the ordinance will allow the City to move towards encouraging compliance among the short-term rental community. Council member Hyer stated that he feels the main problem is that the Utah Legislature has enacted legislation that made it difficult for the City to regulate short term rental uses.

Chair Richey called for a brief recess at 7:38 p.m. The meeting reconvened at 7:45 p.m.

Mayor's Proposed Fiscal Year 2024-2025 Budget

The Mayor's proposed Fiscal Year (FY) 2024-2025 budget came before the Council for consideration. A memo from Council staff explained that per Utah Code 10-6-111, the Mayor must present a proposed budget for the upcoming fiscal year during the first Council meeting in May. Following the Mayor's presentation, the Council accepts the proposed budget for review. The Council holds a series of work sessions over the course of May and June to review the proposed expenditures for all departmental accounts and all major and minor funds. A tentative budget is adopted after holding an initial public hearing. At least one public hearing is held before adoption of the final budget. During the budget hearings, the Council outlines proposed changes to the tentative and final budgets and accepts public input. Once the final public hearing is closed, the Council makes changes and adopts the final City budget. By State law, a final budget must be adopted by June 30 unless a property tax increase is under consideration, then the final budget must be adopted by September 1.

Mayor Nadolski used the aid of a PowerPoint presentation to provide his proposed FY 2024-2025 budget to the Council; he highlighted accomplishments of his Administration since he took office in January of 2024, the current economic outlook, and the increases in wages and the consumer price index (CPI) over the course of FY 2023-2024. He indicated he is proposing to maintain the certified tax rate, which represents a modest one percent increase in property taxes. This will generate approximately \$183,000 in additional property tax revenue, along with \$600,000 in new growth revenue. He would recommend programming the increased revenue to cover the costs associated with a mental health and street management program for first responders. He then discussed recent increases in Business Depot Ogden (BDO) lease revenue – a vital funding source for the City's budget – and noted City Administration is proposing to transfer 12 percent of BDO lease revenue to the City's General Fund. He offered a comparison of the FY24 adopted budget with his proposed FY25 budget, noting that he is recommending a \$20 million increase across all funds. He then highlighted Capital Improvement Plan (CIP) projects included in his budget, Council requested projects, the recommendations of the compensation study being implemented in the budget, proposed employee position changes, and strategic workforce planning. For a copy of the PowerPoint presentation in its entirety see the information packet.

COUNCIL MEMBER HYER MOVED TO ACCEPT THE MAYOR'S PROPOSED FISCAL YEAR 2024-2025 BUDGET FOR REVIEW. MOTION WAS SECONDED BY COUNCIL MEMBER CHOBERKA, ALL VOTING AYE.

Public Comments

Amy Wicks stated she wished to voice concern about the Weber County inland port project; she noted it is not within Ogden City but believes it can bring some negative consequences to the City if the current plan is pushed through. The project has grown from around 900 acres to over 9,000 acres with very little transparency and public input. She cited census data relating to the amount of farmland left in Weber County and noted that the proposed project will consume nearly 10 percent of that land. The development also involves a significant public subsidy and creates an uneven playing field by interfering with the free market by competing with warehouse and industrial spaces within Ogden City. The public perception of the project is concerning, and it is prudent to put the project on hold until serious questions and concerns can be addressed. She spoke about the impact that the project will have on sensitive wetland areas surrounding the project area and implored responsible parties to complete pertinent studies before proceeding with the project. She asked that the Council submit a request to the Weber County Commission to rescind approval of the project until these questions can be answered and until a robust publicly transparent process has taken place.

Linda Sanchez thanked the Council for the thoughtful manner in which they have conducted business over the past several months. She is also proud of many of the initiatives included in Mayor Nadolski's proposed budget. She thanked emergency response services in the community for aid they rendered to one of her coworkers recently. She noted she loves the recent efforts to bring the community together and she thanked everyone who is involved in those efforts.

Angel Castillo asked that the Council continue to work on challenges created by short term rentals following the adoption of the ordinance intended to address nuisances at rental properties. She added that the FlashVote survey results should be considered when working to address the root issues with the short-term rental use.

Mayor Comments

Mayor Nadolski addressed Ms. Wicks' comments about the inland port project; he is familiar with wildlife habitat management practices due to his prior private employment, and he believes that impact analysis is vital for the proposed development. He then addressed recent problems in the community that have resulted in the closure of public bathrooms at public facilities. Administration is working to develop programs and policies that would help to address those matters. He then drew attention to the Governor's Proclamation honoring Municipal Clerks in the State of Utah from May 6-10. He thanked City Recorder Hansen for her service and dedication to the City.

Council member Comments

There were no Council member comments.

There being no further business to come before the Council, **COUNCIL MEMBER HYER MOVED THE MEETING ADJOURN AT 8:16 P.M. MOTION WAS SECONDED BY COUNCIL MEMBER GRAF, ALL VOTING AYE.**

TRACY HANSEN, MMC/CRA
CITY RECORDER

KEN RICHEY, CHAIR

APPROVED: June 11, 2024