

Minutes of the regular meeting of the Ogden City Council held on Tuesday, September 16, 2025, 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.

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

Council Executive Director Janene Eller-Smith
Council Assistant Executive Director Glenn Symes
Council Senior Policy Analyst Steve Burton
Communications Specialist Eric Davenport

Also present: Mayor Benjamin K. Nadolski
Chief Administrative Officer Mara A. Brown
City Attorney Gary Williams
Community and Economic Development Executive Director Jared Johnson
Planning Director Barton Brierley
Assistant Planning Director Joe Simpson
Senior Planner Brandon Rypien
Community and Economic Development Assistant Executive Director David Sawyer
Chief Deputy Recorder Lee Ann Peterson

At the request of the Chair, all present stood and recited the Pledge of Allegiance led by the Ogden Police Department Honor Guard.

A moment of silence was observed.

Acknowledgements: Vice Chair Hyer acknowledged Constitution Day, which is September 17; the United States Constitution was signed 238 years ago on September 17, 1787, and he spoke to the importance of the Constitution then and today.

Mayor Nadolski echoed the importance of the United States Constitution; it should be the moral compass that guides everyone to preserve life, liberty, and freedom. He discussed some of the things that have occurred in the community and across the State of Utah following the assassination of Charlie Kirk and he applauded the Ogden Police Department for their professionalism and dedication to keeping the City safe. He expressed his pride in the Police Department and noted he is confident that they will always do whatever necessary to get things done right and to make it possible for people to live a good and prosperous life in Ogden City.

Council member Myers acknowledged the Ogden City Public Services Department; they have recently been working at the intersection of 20th Street and Harrison Boulevard and made good progress at improving the configuration of that area. They also have done a masterful job at managing the Ogden Canyon waterline projects in recent weeks. He also noted he is firmly committed in upholding the United States Constitution; it is refreshing that local governments are non-partisan and that elected leaders can make decisions based on what is right for the community rather than the direction of a given political party. He is proud of the State of Utah for coming together in the wake of Charlie Kirk's assassination and celebrating the individual peacefully, rather than rioting or protesting. It is important to recognize the sanctity of life and the importance of a father and husband whose life was taken far too young.

Council member Graf also expressed his gratitude for many things happening in Ogden City, including the grand opening of an apartment complex with affordable units in the area of 25th Street and Quincy Avenue; the project is the anchor for the Capitol Square project, and it has many high-quality amenities for residents.

Vice Chair Hyer echoed Council member Myers' comments about the manner in which the State of Utah responded following the Charlie Kirk assassination; he also encouraged everyone to be civil in their dialogue with others and disagree in a respectful way.

Council member Choberka acknowledged the end of the Farmers Market season and stated the events were very successful this year.

Approval of Minutes

Council member Blair stated he had reviewed the minutes of the work session of July 22, 2025, and found them to be accurate to the best of his recollection.

Council member Graf stated he had reviewed the minutes of the joint work session of August 19, 2025, and found them to be accurate to the best of his recollection.

Council member Richey stated he had reviewed the minutes of the regular meeting of August 19, 2025, and found them to be accurate to the best of his recollection.

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

Proposed Ordinance 2025-29 rezoning 853 7th Street from R-1-6 (Single-family Residential Zone) to R-2S/CO (Two-family and Small Lot Residential Zone/Conditional Overlay) to allow development of an affordable owner-occupied, small family home project

A memo from the Community and Economic Development Department regarding the proposed rezone of 853 7th Street came before the Council for consideration. The memo stated Pat Burns has submitted a petition to rezone 12.02 acres from R-1-6 (single-family residential) to R-2S/CO (two-family and small lot residential). The petitioner requests to establish zoning on the property to allow a group-dwelling type development, with 91 detached single-family dwellings platted for individual ownership, with all homes surrounded by common area.

Assistant Planning Director Simpson summarized the memo and used the aid of a PowerPoint presentation to orient the Council to the location of the subject property and its surroundings; the challenges associated with the property; the developer's willingness to enter into a development agreement to govern the project and to place a deed restriction on the project to require individual ownership for a 10-year period; development options; and architectural ideas for the project. He concluded that on June 4, 2025, the Planning Commission considered the proposal and recommended approval of the rezone to R-2S on a five to two vote. He emphasized that once the zoning of the property is approved, the petitioner will need to perform several different types of studies to determine the feasibility of development of the property; approval of a development agreement would place a timeframe on the zoning and if development does not occur within a specific amount of time, the zoning will expire and the property would revert to the original zoning. For a copy of the presentation in its entirety, see the information packet for the meeting.

Council discussion of the application centered briefly on the access to the site and whether roadways will be public or private in nature; there was also a brief focus on connection to existing trail systems in the area.

Vice Chair Hyer inquired as to the basis of the opposing vote from two Commissioners. Mr. Simpson explained the two Commissioners expressed concern that increasing residential density in the area would come at too great a cost, emphasizing that the natural and green space should be preserved for the neighborhood rather than developed. He added a lot of the public feedback regarding the application also centered on the desire to preserve the green space; there were also concerns about the negative impacts of developing the property. Vice Chair Hyer asked how much disturbance there will be at the property if the petitioner is granted the zoning and proceeds with the studies to determine development potential. Mr. Simpson stated that some of the studies to be completed include deep boring and trenching to evaluate drainage of the site. There are some protections built into the City's land use code to preserve tree groves and mature trees on the site; therefore, the trees should not be disturbed as part of the evaluation of the site.

Council member Richey asked if there is potential for the site to have access from Monroe Boulevard. Mr. Simpson stated there is a private easement to the property from Monroe Boulevard and the viability of using that easement as an access point would be reviewed throughout the development application process. Chair White asked Mr. Simpson to briefly summarize all steps the petitioner would need to take to move through the application process. Mr. Simpson stated additional steps include site plan review, group dwelling application and review, subdivision platting, and development agreement review prior to final approval of any project to be built on the site.

Chair White invited input from the applicant.

Pat Burns complimented the City Council on their professionalism; he also thanked City staff for their guidance through the zone change application process and expressed a willingness to answer any questions the Council has about his proposal.

Council member Graf asked Mr. Burns if he owns the property, to which Mr. Burns answered no. Council member Graf asked if his offer to purchase the property is contingent on his ability to get over some of the hurdles associated with developing the property, to which Mr. Burns answered yes. Council member Graf inquired as to the purchase price; he noted he is asking for that information because many residents in the area would prefer for the City to purchase the property and turn it into a park or preserve it as green space, but it is important for the public to know how much the City would have to spend to acquire the property. Mr. Burns stated that he has an existing contract to purchase half of the ground for \$2.3 million and he is negotiating to purchase the other half and does not have the ability to disclose the cost of the other half.

Vice Chair Hyer asked Mr. Burns if he is confident that the current property owner has a private easement for their driveway from Monroe Boulevard to their home. Mr. Burns answered yes. Vice Chair Hyer then noted that the property abuts the easement owned by North Ogden Irrigation Company and he asked Mr. Burns if he plans to pipe the canal or erect a fence along the canal easement. Mr. Burns stated there are actually two canals on the property, one on the east and the other on the west side. He will pipe the canal on the east, but not on the west. Vice Chair Hyer stated there is a great deal of work to be done on the property and he is not sure anyone will be able to pull it off. Council member Myers agreed and stated the topography of the property presents many challenges, but he feels Mr. Burns' proposal is well thought out and would be a great addition to the community.

The Council engaged in discussion with Mr. Burns regarding some of the topographical issues with the property and his community outreach efforts regarding his proposal.

Chair White introduced in writing proposed Ordinance 2025-29, entitled:

“An ordinance of Ogden City, Utah, amending the zoning map of Ogden City, as adopted by Section 15-3-3 of the Ogden Municipal Code, to reclassify as Two-Family and Small Lot Residential Zone/Conditional Overlay Zone (R-2S/CO) property heretofore classified as Single-Family Residential Zone (R-1-6), generally located at 853 7th Street and by providing that this ordinance shall become effective immediately upon posting after final passage.”

Chair White then called for public input regarding the proposal.

The Council heard from the following individuals who expressed concerns and opposition to the proposal based on the challenges associated with the topography of the property and the drastic impact that development will have on other residents in the area; they encouraged the Council to consider acquiring the property and preserving it as an open space and park: Susanne Hogan, Darrel Warner, David Yates, Laura Lewis, Bob Sawatzki, Richard Marsh, McKay Campbell, Fred Rabe, and Linda Sanchez.

No additional persons came forward to be heard.

Continued Council discussion of the application centered on the access to the site; the City’s ability – if any – to purchase the property and preserve it as open, green space; deed restrictions; development options based upon current zoning of the property; the Council’s ability to require further exploration of the feasibility of the development to be completed before taking action on the zoning application; minimum and maximum square footage of units that can be built in the R-2S zone; the needed outcome of a traffic study in order for the project to receive approval; and compliance with the Community Plan that includes the neighborhood surrounding the subject property.

Council members expressed their position on the application; they expressed hesitation to approve the zoning application based upon some unknown factors associated with the proposed development but also indicated they are satisfied that the development will not proceed if the studies to be completed on the land do not yield positive findings that support the proposal. They also communicated that many long-time residents of the community have expressed concern about limited housing options for their children and noted Mr. Burns’ proposal would provide small lot, single-family homes that would be attainable for younger generations of Ogden residents.

ON A MOTION BY VICE CHAIR HYER AND SECONDED BY COUNCIL MEMBER MYERS, ORDINANCE 2025-29 WAS ADOPTED UPON THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS BLAIR, CHOBERKA, GRAF, MYERS, AND VICE CHAIR HYER. VOTING NO – COUNCIL MEMBER RICHEY AND CHAIR WHITE.

Council member Richey understands the points that have been made in support of proceeding with approval of the zone change but feels there are many hurdles to get over to proceed with the development. He does like the idea of smaller lot, single family homes on the property, but he has too many concerns to vote in support of moving forward at this time.

Chair White stated her concerns also lie in the unknowns of the property; many times, zoning is approved and a project later stalls based upon some of the problems with the property and she would prefer to address the access issues before granting zoning for the property. She is hesitant to put City staff in a position of spending a great deal of time and resources on a project that has so many unknowns.

Vice Chair Hyer encouraged Mr. Burns to meet with the residents who have expressed their concerns about the project before disrupting the land; additionally, before the easement and access issue are addressed; he would suggest that Mr. Burns avoid significant disruption of the neighborhood.

Council member Blair applauded Mr. Burns’ creativity and ambition and wished him luck with the project; however, he agrees that the easement and access issues should be addressed as soon as possible and before disrupting the land.

Mayor Nadolski stated he sympathizes with the Council and the position they find themselves in relative to this application; there are many concerns in the community about the loss of open space, but it is important to keep in mind that the property has always been zoned for residential development and the decision that was made tonight was simply to change the type of residential development that can occur. He feels the zoning that was proposed and approved will create more attainable housing options for first time home buyers. He also feels the City should be investing in its public and open spaces that will provide connection to the outdoors for residents; parks and trails need to be more accessible and better amenitized and he is working on those matters as well. He stated he supports Mr. Burns’ proposal and does not feel it is an effort to eliminate open space in favor of development, but to allow for housing opportunities for ‘middle-America’.

Proposed Resolution 2025-16 adopting a district plan for the West Ogden/24th Street Interchange Area in preparation for the improvements that UDOT is making to the I-15/24th Street interchange and to the surrounding area

A memo from the Community and Economic Development Department regarding the proposed West Ogden/24th Street Interchange District Plan came before the Council for consideration. The memo stated the Plan has been prepared by the Planning Division and project consultant Logan Simpson in anticipation of the new I-15/24th Street Interchange project planned by the Utah Department of Transportation (UDOT). The district plan is intended to replace the West Ogden Community Plan (adopted 2014, amended 2017) and the 24th Street Corridor Plan (adopted 2005). The West Ogden/24th Street Interchange District Plan outlines proposed land use, transportation, and design strategies for the area surrounding the planned I-15/24th Street interchange redesign,

with the aim of coordinating infrastructure improvements, development patterns, and community features in that part of the City. Public workshops were held by the Planning Division on December 5, 2024, and January 30, 2025, in order to receive public input and feedback. On June 4, 2025, the Planning Commission recommended the Council approve the proposed plan on a nine to zero vote.

McKayla Dunfey of Logan Simpson summarized the memo and used the aid of a PowerPoint presentation to discuss the proposed Interchange District Plan; here presentation highlighted the project background, the key components of the Plan; community feedback that has been provided; and the Planning Commission's recommendation. For a copy of the presentation in its entirety, see the information packet for the meeting.

Council member Choberka acknowledged the extensive amount of public outreach and engagement regarding the proposed Plan and thanked City staff and Ms. Dunfey for her efforts.

Vice Chair Hyer highlighted the timeline for this project that has spanned over 50 years; he wondered if this is typical for these types of projects. Ms. Dunfey stated that the discussions about this project have definitely spanned several years and decades, but the most recent discussions resumed in 2017 and have gained momentum based upon funding opportunities for the interchange. Her firm was hired to ensure that the West Ogden neighborhood of Ogden is well positioned to align with the interchange improvements and other developments that will be spurred by the interchange. Senior Planner Rypien added that much of the delay in the project has centered around the negotiations between UDOT and the Union Pacific Railroad relative to the rail crossing in close proximity to the interchange.

Council member Myers asked if it is a goal to have the interchange built before the 2034 Olympics to be hosted in Utah. Mr. Rypien answered yes and stated that one of the goals of the City is to ensure that all local streets have connectivity to UDOT's network and that the area is beautified and can serve as a nice gateway into Ogden.

Council member Choberka asked if it would be possible to create a crosswalk or multiple crosswalks traversing 24th Street to create opportunities for safe crossing to points of interest in West Ogden. Those that live on the north side of 24th Street do not have any safe access to the south side of 24th Street. Mr. Rypien agreed and stated that is something he can report back to the City's traffic engineers for resolution.

There was discussion about bike traffic plans in West Ogden and beyond and how those bike lanes will interact with the interchange improvements.

Chair White introduced in writing proposed Resolution 2025-16, entitled:

"A resolution of the Ogden City Council adopting the West Ogden/24th Street Interchange District Plan for the area set forth on the attached exhibit A."

Chair White then called for public input regarding the proposal.

The following individuals provide public input regarding some concerns they have related to the ancillary transportation improvements planned for West Ogden in conjunction with the 24th Street interchange: Janis Starkey, Pamela Haycock, Laura Lewis, Pat Burns, Joey Barnett, and Heath Satow.

There were no further persons appearing to be heard.

The Council engaged in discussion with Mr. Rypien, Ms. Dunfey, and Mayor Nadolski regarding the City's authority to make any adjustments to any of the plans for West Ogden, or if all of those improvements are dictated by UDOT.

ON A MOTION BY COUNCIL MEMBER MYERS AND SECONDED BY COUNCIL MEMBER GRAF, RESOLUTION 2025-16 WAS ADOPTED UPON THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS BLAIR, CHOBERKA, GRAF, MYERS, RICHEY, VICE CHAIR HYER, AND CHAIR WHITE. VOTING NO – NONE.

Council member Choberka thanked the residents who have become engaged in the process of developing this Plan; it is so important and it will be in place for a significant period of time and stands to have great impacts in all properties in the area.

Public Comments

Darrel Warner referenced the Council's action to approve a zone change for property at 853 7th Street; he lives near the subject property and is excited about the potential benefits of the development. However, he is still concerned about the potential negative impacts on the existing residents, specifically related to the integrity and safety of the community. He noted that there is a very steep grade on the property and installing sidewalk and curb and gutter will be very difficult; additionally, on-street parking will also be very difficult in the area.

Laura Lewis also addressed the action related to property at 853 7th Street; she clarified that she is not opposed to new homes being built in Ogden, but the subject property is very unique and there are not many other pieces of property like it in the City. Her opposition to the proposal was based upon the principle of preserving the nature of the area, which is not prime for high-density housing. She stated the property is not fragmented and it serves as a migration area for deer and other wildlife up to the Ogden Canyon. She questioned whether the homes will actually be affordable and if they could be purchased by an investment company to convert the project into a for-rent development. She encouraged the Mayor and Council to avoid actions that will lead to negative consequences for the existing residents.

Janis Starkey referenced the I-15/24th Street Interchange plan and stated she is confused about some of the reconfiguration of the roads in West Ogden; she is unsure how they will be extended across the railyard and into downtown Ogden without causing disturbances to historical landmarks in the area.

Heath Satow stated he has reviewed the planning documents for the West Ogden improvements associated with the 24th Street interchange project and he feels the signage welcoming people to Ogden is very underwhelming; it is something that is worth putting a lot more thought into and he asked the Mayor to take that under advisement. He stated that the old welcome sign

on the south end of Harrison Boulevard has not been replaced, and he asked for a timeframe for that as well.

Linda Sanchez thanked Vice Chair Hyer and the entire Council for acknowledging Constitution Day; she advised everyone to learn more about the Constitution and provided information about upcoming training opportunities and citizenship classes.

Chair White encouraged the residents of West Ogden who have spoken on their concerns about other transportation improvements in their neighborhoods to meet with Mr. Rypien to discuss the matters further.

Mayor Comments

Mayor Nadolski thanked the Council for their careful consideration of the land use items that were presented to them tonight for action.

Council member Comments

Council member Blair announced City Administration has launched a public survey regarding the trail alignment at Mt. Ogden Golf Course; he thanked Administration for creating this opportunity and encouraged all those interested in the matter to take the survey. He looks forward to hearing the results of the survey in the future.

Vice Chair referenced the discussions during tonight's meeting regarding the United States Constitution and encouraged anyone who is interested in learning more about the document to also read the Federalist Papers.

There being no further business to come before the Council, **COUNCIL MEMBER RICHEY MOVED THE MEETING ADJOURN AT 9:05 P.M. MOTION WAS SECONDED BY COUNCIL MEMBER MYERS, ALL VOTING AYE.**

LEE ANN PETERSON, MMC
CHIEF DEPUTY CITY RECORDER

MARCIA L. WHITE, CHAIR

APPROVED: October 21, 2025