

Minutes of the regular meeting of the Ogden City Council held on Tuesday, February 17, 2026, 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 Richard A. Hyer
 Vice Chair Dave Graf
 Council members Flor Lopez
 Kevin Lundell
 Shaun Myers
 Ken Richey
 Alicia Washington

Council Executive Director Glenn Symes
Council Assistant Executive Director Steve Burton
Communications Director Brandon Garside
Communications Specialist Eric Davenport

Also present: Chief Administrative Officer Mara A. Brown
 City Attorney Gary Williams
 City Prosecutor Greg Burdett
 Community and Economic Development Assistant Executive Director David Sawyer
 Planning Director Barton Brierley
 Chief Deputy Recorder Lee Ann Peterson

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

A moment of silence was observed.

Acknowledgements: none

Presenting retired City Council Executive Director Janene Eller-Smith with the Council's Compass Award and the Mayor's Key to the City for her significant contributions to Ogden City

A memo from Council staff regarding recognition of retired Council Executive Director Janene Eller-Smith for her significant contributions to Ogden City came before the Council for consideration. Chair Hyer read the text of the Compass Award and Chief Administrative Officer Brown read a proclamation awarding Ms. Eller-Smith the Mayor's Key to the City.

Ms. Eller-Smith expressed gratitude for the opportunity to serve Ogden City, emphasizing how significant the role had been in her life. She reflected on her educational journey, explaining that her background in public administration and law had been pivotal in preparing her for her career with the City. Ms. Eller-Smith shared a personal anecdote about her decision to pursue a joint degree, fulfilling both her aspirations in law and her passion for public service, a path she discovered during a moment of realization spurred by a professor while she was an undergraduate. She questioned if she deserved the awards bestowed upon her but conveyed immense pride in hiring the current and highly regarded Council staff. She acknowledged her role in helping to shape the next generation of City leaders, expressing how this was one of her proudest achievements. She also appreciated the timing of this opportunity in her life, sharing how it came during a particularly challenging personal period and provided her stability and purpose.

Former Council member Angela Choberka provided a video message congratulating Ms. Eller-Smith on her retirement and her receipt of the Compass Award and Key to the City. Former Council member Marcia White attended in person to thank Ms. Eller-Smith for her mentorship and guidance for over 12 years.

Chair Hyer and other council members shared their experiences and perspectives on working with Ms. Eller-Smith. Chair Hyer expressed great appreciation for Eller-Smith's dedication and contributions to the City, emphasizing her role in guiding the Council through numerous significant projects and transitions. He noted her exceptional leadership and the many innovations she introduced, which have had a profound and lasting impact on the City. Other Council members echoed similar sentiments, underlining her mentorship, wisdom, and ability to navigate complex municipal challenges. They particularly valued Ms. Eller-Smith's supportive nature, nonpartisan professionalism, and her knack for providing clear, unbiased guidance on sensitive and multifaceted issues. Her efforts in fostering an environment of collaboration and efficiency were universally appreciated, as was her support in helping new Council members acclimate to their roles effectively.

Council staff members Glen Symes (Council Executive Director), Steve Burton (Council Assistant Executive Director), Brandon Garside (Communications Director), and Eric Davenport (Communications Specialist) each expressed appreciation for Ms. Eller-Smith's leadership and mentorship.

Approval of Minutes

Council member Myers stated he had reviewed the minutes of the special meeting of December 9, 2025, and found them to be accurate to the best of his recollection.

Council member Richey stated he had reviewed the minutes of the joint work session of December 9, and work session and regular meeting of December 16, 2025, and found them to be accurate to the best of his recollection.

Council member Lundell stated he had reviewed the minutes of the work session and regular meeting of January 6, 2026, and found them to be accurate to the best of his recollection.

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

Proposed Ordinance 2026-1 rezoning property at 1425 Kingston Drive from Single-family Residential Zone (R-1-10) to Single-family Residential Zone (R-1-8) in order to allow the development of a 10-lot single-family residential subdivision

A memo from the Community and Economic Development Department regarding the proposed rezone of 1425 Kingston Drive came before the Council for consideration. The memo stated Gary Cannon has submitted a petition to rezone approximately 1.56 acres from R-1-10 (Single-family Residential) to R-1-8 (Single-Family Residential). The requested rezone would allow for the development of a 10-lot single-family residential subdivision. The Planning Commission reviewed the proposal on December 3, 2025, and recommended approval.

Planning Director Brierley summarized the memo and explained that the property was formerly a church site, and the zone boundary currently splits through the property, with R-1-10 on the north and R-1-8 on the south. The petitioner, Gary Cannon, proposed to rezone the entire property to R-1-8 to develop a single-family residential subdivision. Mr. Brierley showed a conceptual layout of the proposed subdivision featuring several lots that would be above the 10,000 square foot minimum, but some that would fall between 8,000 and 10,000 square feet.

Council member Washington inquired about potential conflicts of interest, specifically addressing the fact that Rick Southwick, a Planning Commissioner, was a business partner with the petitioner, Gary Cannon. Mr. Brierley confirmed that Mr. Southwick had recused himself from any discussion and the vote at the Planning Commission meeting regarding the rezone proposal. If the rezone receives approval tonight, Mr. Southwick would be required to abstain from any future discussions and votes regarding the development of the property.

Petitioner Gary Cannon emphasized the intention behind the proposed homes, stating that they would likely be owner-occupied rather than investment properties, due to their market value estimated at \$650,000. This price point would typically deter investors who are looking for rentable properties. Mr. Cannon also expressed a willingness to enter into a development agreement that would require the homes to be owner-occupied. He elaborated on how modern homeowners often prefer smaller lots due to the reduced maintenance costs and lifestyle changes, such as spending more leisure time away from home at parks or with family, which make larger lots less desirable. Mr. Cannon highlighted the broader trend among homeowners who prioritize convenience and are less inclined to invest time in maintaining large yards, which supports the case for smaller lot sizes in the proposed development.

Chair Hyer introduced in writing proposed Ordinance 2026-1, 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 Single Family Residential Zone (R-1-8) property heretofore classified as Single Family Residential Zone (R-1-10), generally located at 1425 Kingston Drive, and by providing that this ordinance shall become effective immediately upon posting after final passage.”

Chair Hyer then called for public input regarding the proposal.

In support of the rezone:

- Angel Castillo, Julian Snyder, Linda Sanchez, and Heath Satow expressed their support for adding single-family homes to Ogden's housing stock, emphasizing the benefits it would bring to the community. Ms. Castillo, a former Planning Commissioner, highlighted her awareness of City Codes and underscored the importance of offering a variety of property types to potential homeowners. She pointed to an existing development on Custer Avenue as a positive example and encouraged Council members to consider the balance of housing options in the city.
- Jilian Snyder also voiced his support for the project, focusing on the suitability of the lot sizes for smaller family homes and the positive impact of adding more single-family homes to Ogden.
- Linda Sanchez emphasized the significance of homeownership in fostering a sense of connection to the community, noting that people have a vested interest when they own their homes. She expressed her belief that any initiatives encouraging owner occupancy are beneficial for both citizens and the city itself. She also inquired whether the proposal includes a specified time period for mandatory owner occupancy, highlighting concerns about investors potentially buying these properties and using them as rental properties.
- Heath Satow added his perspective as a homeowner with a smaller lot, asserting that smaller lots still provide ample space for a family to have a garden and space for pets, contrary to concerns about potential overcrowding. He pointed out that his own lot supports a sizeable home alongside outdoor amenities, signaling that reduced lot sizes can still accommodate families comfortably.

In opposition to the rezone:

- Tyler White, Roger White, Till Wilkinson, and David Lawrence expressed concerns about preserving the neighborhood character and the impact of reduced lot sizes.
- Tyler White, who identified as a resident of the neighborhood, emphasized a preference for larger lots and argued that adding two more homes would not significantly address housing affordability or shortages.
- Roger White echoed Tyler White's sentiment, stating that people in the area valued their space and opposed cramming more houses onto smaller plots.
- Till Wilkinson, also a local resident, shared his understanding of the challenges developers face but remained concerned about maintaining adequate space for families and parking, suggesting that smaller lots would lead to a more cluttered appearance.
- David Lawrence questioned the motivations behind the rezoning, speculating that the financial benefits to the developer might not translate to more affordable housing for buyers.

No further persons came forward to be heard.

Mr. Brierley addressed Ms. Sanchez's question regarding an owner occupancy requirement, noting that while some developments have conditional overlays requiring homes to be owner-occupied for a certain period, these typically apply to townhomes or very small lots. He noted that the homes in the proposed project are on larger, 8,000 square foot lots, making them more likely to be owner-occupied. Therefore, the Planning Commission and staff did not recommend such a requirement. However, petitioner Gary Cannon expressed openness to a development agreement ensuring the homes would be owner-occupied, though he was not sure if there were any laws limiting the length of time the City and developer can require owner occupancy. He highlighted the need for new, smaller lots that could incite interest from first-time homebuyers or those transitioning from apartments who desire easier-to-manage properties. He viewed his proposal as an opportunity to offer such options.

Council members discussed the proposal, noting that some of the lots in the conceptual design were already at or above 10,000 square feet, aligning with the existing neighborhood character, particularly for those at the northern end of the development. The rezone would primarily affect a couple of lots that would have slightly reduced lot sizes, dropping from the R-1-10 to the R-1-8 designation. This change allows for modest adjustments while maintaining overall consistency with the area's single-family residential zoning.

Council member Washington raised a concern regarding an issue with the record of the Planning Commission's action on the application; she noted that Mr. Southwick had not been listed in the transmittal as having recused himself. Planning Director Brierley confirmed that Mr. Southwick indeed recused himself, stating that per Planning Commission rules, Mr. Southwick was required to leave the room entirely, avoiding any participation in the discussion or vote. Council member Washington emphasized that such details should be reflected for public record for transparency purposes, suggesting that transmittals clearly indicate when Commissioners recuse themselves to ensure public awareness and maintain trust in the planning process.

Chair Hyer emphasized the City's deficiency in single-family housing stock and identified this project as a necessary step in addressing that gap.

Council member Lundell noted his personal ties to the neighborhood and expressed confidence that this development would enrich the community by replacing the vacant lot with vibrantly occupied homes, potentially enhancing neighborhood dynamics.

Following continued discussion of the proposal among the Council, they ultimately expressed the point of view that the proposal was seen as an opportunity to meet the demand for single-family homes in Ogden. Several Council members applauded the applicant for taking a risk for the betterment of the subject property and the community at large.

ON A MOTION BY COUNCIL MEMBER LUNDELL AND SECONDED BY VICE CHAIR GRAF, ORDINANCE 2026-1 WAS ADOPTED UPON THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS LOPEZ, LUNDELL, MYERS, RICHEY, WASHINGTON, VICE CHAIR GRAF, AND CHAIR HYER. VOTING NO – NONE.

Public Comments

Emily Fox expressed concern about a state bill being proposed that she believed overstepped state government authority and infringed upon city rights to determine local spending.

Kim Haslam shared concerns about the safety of refugees and immigrants in the community, including her Vietnamese refugee mother, and asked certain council members what actions they were taking to protect vulnerable community members.

Angel Castillo commented on a joint resolution that had been tabled, expressing concern about government overreach and the importance of protecting constitutional freedoms.

Linda Sanchez reported difficulties accessing the City's transparency portal via mobile phone and requested improvements to mobile accessibility.

Theresa Bramwell raised concerns about the proportion of rental apartments versus single-family homes in Ogden, describing her experiences with crime in the East Central neighborhood and advocating for more owner-occupied housing.

Mayor Comments

In Mayor Nadolski's absence, Chief Administrative Officer Brown responded to Linda Sanchez's comments about the transparency dashboard; she explained the City is still making adjustments to the system and acknowledged the importance of ensuring accessibility. She assured Ms. Sanchez that the City would look into mobile compatibility to improve user experience for those accessing the dashboard on various devices, such as cell phones and tablets.

Council member Comments

Council member Washington expressed appreciation for the decision to table a proposed joint resolution affirming community trust through public safety until March 3rd. She highlighted the importance of reviewing and asking questions about the resolution during this period. Council member Washington emphasized the incredible process within the community, where members, despite having opposing views, have upheld each other's shared lived experiences, working towards creating a stronger community. She shared a timeline update, noting that she and Council member Lundell held a community conversation on February 15th at the Weber County Library to present and discuss the resolution publicly. Council member Washington stated they had reached out to the administration and planned to meet with Mayor Nadolski, who was currently in Europe, as well as the community engagement director and the police chief. These meetings were postponed until the mayor's return, and Council member Washington expressed a commitment to continuing these discussions.

Council member Lundell echoed Council member Washington's concerns and focused on the implications of House Bill 571, particularly its requirement for state or local government agencies to use their best efforts to support the enforcement of federal immigration law. He expressed worries about the potential for state and federal overreach into municipal governance, given the history of federal immigration law enforcement issues. Lundell underscored the importance of municipal bodies standing against such overreach and appreciated the Council's decision to pause and observe how the bill and its concerning sections would unfold.

Closed Session

At this time, the Council gave consideration of adjourning into a Closed Session pursuant to one or more of the provisions of Section 52-4-205(1) of the Open and Public Meetings Law:

- a. Discussion of the character, professional competence, or physical or mental health of an individual
- b. Strategy session to discuss collective bargaining
- c. Strategy session to discuss pending or reasonably imminent litigation
- d. Strategy session to discuss the purchase, exchange, or lease of real property
- e. Strategy session to discuss the sale of real property
- f. Discussion regarding deployment of security personnel, devices, or systems
- g. Investigative proceedings regarding allegations of criminal misconduct

COUNCIL MEMBER RICHEY MOVED THE COUNCIL ADJOURN INTO A CLOSED SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205(1) OF THE OPEN AND PUBLIC MEETINGS LAW. MOTION WAS SECONDED BY COUNCIL MEMBER WASHINGTON, WITH THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS LOPEZ, LUNDELL, MYERS, RICHEY, WASHINGTON, VICE CHAIR GRAF, AND CHAIR HYER. VOTING NO – NONE.

The meeting adjourned into Closed Session at 7:23 p.m.

The meeting reconvened at 8:29 p.m.

There being no further business to come before the Council, **COUNCIL MEMBER RICHEY MOVED THE MEETING ADJOURN AT 8:30 P.M. MOTION WAS SECONDED BY VICE CHAIR GRAF, ALL VOTING AYE.**

LEE ANN PETERSON, MMC
CHIEF DEPUTY CITY RECORDER

RICHARD A. HYER, CHAIR

APPROVED: March 24, 2026