

Minutes of the regular meeting of the Ogden City Council held on Tuesday, August 18, 2026 at 6:01 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
 Jeremy Peterson
 Ken Richey
 Alicia Washington

Council Executive Director Glenn Symes
Council Assistant Executive Director Steve Burton
Council Senior Policy Analyst Clint Yingling
Council Communications Specialist Eric Davenport

Also present: Chief Administrative Officer Taylor Nielsen
 City Attorney Gary Williams
 Community and Economic Development Assistant Executive Director David Sawyer
 Planning Director Barton Brierley
 Public Services Assistant Executive Director Edd Bridge
 Deputy City Recorder Jason Gould

At the request of the Chair, Weber County Fire Officers presented the colors. Vice Chair Graf led those in attendance in the Pledge of Allegiance.

A moment of silence was observed.

Acknowledgements: Council member Richey recognized the efforts of Ogden City's Public Works, Police, and Fire Departments, as well as all City partners involved in producing the Ogden Pioneer Days Rodeo and Parades, describing them as world-class events made possible by the partnership between the Ogden Pioneer Days Foundation and the City.

Council member Washington announced two free programs offered at the Weber County Library's main branch on 24th and Jefferson: a nine-week citizenship preparation course beginning the following day, and an English for Speakers of Other Languages (ESOL) class for beginner and intermediate students. She also extended well wishes to Ogden School District students, teachers, support staff, administrators, and families as they returned to school for the new year.

Council member Lopez thanked Washington Heights Church and its volunteers, including Pastor Jim, for organizing a community service weekend in District 1 in which participants repaired and painted homes. She noted that the Mayor was also in attendance and participated.

Approval of Minutes

Council member Lopez stated she had reviewed the minutes of the joint work session of June 16, 2026 and found them to be accurate to the best of her recollection.

Council member Washington stated she had reviewed the minutes of the regular meeting of June 16, 2026 and found them to be accurate to the best of her recollection.

Council member Lundell stated he had reviewed the minutes of the joint work session of July 7, 2026 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 July 7, 2026 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 LUNDELL, ALL VOTING AYE.

Proposed Resolution 2026-10 appointing Jeremy Peterson to the Ogden City Audit Committee

A memo from Council staff regarding the proposed appointment of Council member Peterson to the Ogden City Audit Committee came before the Council for consideration.

Chair Hyer introduced in writing proposed Resolution 2026-10, entitled:

“A resolution of the Ogden City Council appointing members to the Ogden City Audit Committee.”

ON A MOTION BY COUNCIL MEMBER RICHEY AND SECONDED BY VICE CHAIR GRAF, RESOLUTION 2026-10 WAS ADOPTED UPON THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS LOPEZ, LUNDELL, PETERSON, RICHEY, VICE CHAIR GRAF, AND CHAIR HYER. VOTING NO –

COUNCIL MEMBER WASHINGTON.

Board of Health Appointment. Appointment of Jeremy Peterson to the Weber-Morgan Board of Health

A letter from Mayor Nadolski requesting consideration of the appointment of Council member Peterson to the Weber-Morgan Board of Health came before the Council for consideration.

COUNCIL MEMBER RICHEY MOVED TO APPROVE THE APPOINTMENT OF COUNCIL MEMBER PETERSON TO THE WEBER-MORGAN BOARD OF HEALTH. MOTION WAS SECONDED BY VICE CHAIR GRAF, ALL VOTING AYE, WITH THE EXCEPTION OF COUNCIL MEMBER WASHINGTON, WHO VOTED NAY.

Council member Washington declined to offer an explanation for her opposing vote.

Chair Hyer explained that both positions had been vacated following former Council member Myers' departure from the Council, and all Council members were invited to express interest in the roles.

Proposed Ordinance 2026-16 amending zoning regulations to revise building setback and fence height standards in the O-1 (Open Space) zone

A memo from the Community and Economic Development Department regarding proposed amendments to the Open Space (O-1) Zone came before the Council for consideration. The memo stated Administration has proposed an amendment to the zoning regulations that would modify building setback and fence height standards in the O-1 zone. The proposal is related to the expansion of the 4th Street ballpark. The proposal reduces the yard setback requirements in the O-1 zone and modifies fence height standards to allow protective ballfield netting above the maximum permitted fence height.

Planning Director Barton Brierley summarized the memo and explained that the proposal addresses two primary issues. First, the existing setback standards are poorly suited to large park sites, many of which occupy a full City block, making conventional front/side/rear distinctions impractical. The proposed amendment would standardize and reduce minimum setbacks for structures such as dugouts, restroom facilities, and parking lots. Second, the existing fence height standards contain ambiguity regarding how they apply to open space zones. The amendment would establish that fences facing streets must be no taller than four feet, or up to six feet if of a see-through design, while side and rear yard fences would be permitted up to seven feet. To address the practical problem of balls leaving ball fields and landing in adjacent properties, what Mr. Brierley referred to as the "sandlot problem," the amendment would also allow transparent mesh netting to extend above the standard fence height limits. Mr. Brierley noted the Planning Commission had recommended adoption.

Chair Hyer introduced in writing proposed Ordinance 2026-16, entitled:

"An ordinance of Ogden City, Utah, amending the Ogden Municipal Code by amending Subsection 15-4-5.H; amending Subsection 15-13-7.C; and amending Subsection 15-14-4.C; to make technical changes; to appropriately revise the index; 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.

Laura Lewis stated she is a 'nature lover' and asked whether any studies had been conducted on the potential impact of ball field netting on birds and wildlife.

There were no further persons appearing to be heard.

Chair Hyer invited Mr. Brierley to respond to Ms. Lewis's question. Mr. Brierley responded that he was not aware of any such studies and had not previously encountered the issue, though he acknowledged that netting of this type is common at ball fields nationwide.

ON A MOTION BY COUNCIL MEMBER RICHEY AND SECONDED BY COUNCIL MEMBER LOPEZ, ORDINANCE 2016-16 WAS ADOPTED UPON THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS LOPEZ, LUNDELL, PETERSON, RICHEY, WASHINGTON, VICE CHAIR GRAF, AND CHAIR HYER. VOTING NO – NONE.

Public Comments

David Belnap raised concerns about the Flock safety camera system used by Ogden City. He questioned the full scope of Flock's capabilities, including whether any devices in Ogden are harvesting cell phone signals or recording conversations in public spaces. He also questioned why the City allows private businesses such as Lowe's to participate in the Flock network without apparent limitations and referenced reports that cities elsewhere have begun installing listening devices along public sidewalks. Mr. Belnap expressed strong opposition to what he characterized as an increasingly aggressive surveillance posture by government toward its constituents.

Linda Sanchez addressed two matters. First, she expressed concern about a prior incident in which she felt a Council member had been publicly reprimanded by Chair Hyer during a Council meeting, and suggested that conduct concerns among elected officials should generally be addressed privately before being raised publicly. She urged the Council to model the same standards of civility it expects from the public. Second, she welcomed the newest Council member and encouraged him to remain independent and focused on the needs of his constituents. She also asked for an update on water levels at Pineview Reservoir.

Sandy Cochran asked for an update on the inspection of the ICE detention holding facility operated in Ogden. She noted she had contacted the City in late July and was informed that results of the inspection were not yet available. She expressed frustration that residents' persistent questions about the facility's compliance with its conditional use permit do not appear to be receiving timely responses, and she asked Council member Peterson specifically where he stands on the issue.

Jan Christensen Hiller echoed the concerns regarding the ICE facility, asking the Council how long individuals are held there and under what conditions. She called on the Planning Commission and City Council to formally review whether the facility is in compliance with its conditional use permit and to release the results of any inspection to the public.

Elena Montenegro-Long also expressed interest in the status of the investigation into the ICE holding room. She acknowledged the complexity of the Council's responsibilities and thanked members for their service, while asking for a more comprehensive public response than simply a statement that everything is in order.

Matt McFarland addressed the Council on the topic of artificial intelligence and automation, raising concerns about future job displacement and advocating for the exploration of a sovereign wealth fund model at the local or state level as a long-term investment vehicle for residents. He requested a brief meeting with the Council to further develop the idea.

James Dixon raised two local infrastructure concerns: steep drainage gutters in popular bicycle corridors that he characterized as a hazard to cyclists, and steps at a local court building that several people had reportedly tripped on. He suggested that reflective paint or markers could address both issues without compromising aesthetics.

Juliene Snyder asked the Council to prioritize the reopening of the Adventure Zone, the childcare drop-in area at the Marshall White Community Center. She explained that the service had been suspended the prior month without advance notice, refunds, or alternative arrangements for affected families. Ms. Snyder asked the Council to consider what the City's stated purpose for the center is, and urged better communication with members and a commitment to delivering on the facility's original promises to families.

Heath Satow commented on two subjects. He agreed that the steep gutter holes mentioned by a prior speaker appear hazardous. He also elaborated on the Flock camera concerns raised earlier, describing research suggesting that an investment group behind Flock is also a primary funder of a software firm called the Toka Group, which reportedly sells tools capable of intercepting and covertly manipulating live and recorded video from web-connected cameras without leaving a forensic footprint. Mr. Satow expressed concern that, in the context of advancing AI capabilities, video evidence could potentially be altered in ways that serve the interests of authorities above the local level.

Administration Comments

Chief Administrative Officer Nielsen responded to several items raised during public comment. He directed Linda Sanchez and the public to OgdenCityPipeline.com for regularly updated information and photographs of current conditions at Pineview Reservoir, noting that construction-level work at the reservoir was anticipated to begin around mid-September, depending on water levels and weather. Regarding the bicycle gutter concerns, Mr. Nielsen acknowledged the long-standing infrastructure challenge and described the City's ongoing efforts to designate safe bike routes, upgrade grates and gutters along those corridors, and separate bicycle and vehicle traffic where possible, citing the Grant Avenue Promenade as a recent example. He also responded to Ms. Snyder's concerns about the Marshall White Center Adventure Zone, stating that he was not previously aware of the suspension and would follow up directly with the relevant contact.

Council member Comments

Vice Chair Graf responded to Mr. Belnap's comments about Flock cameras, clarifying that when he previously cited 41 cameras, he was referring specifically to cameras employed by the City of Ogden for law enforcement purposes, as reported by the Chief of Police. He noted that automated license plate readers are also operated by private entities such as car washes and universities, which are beyond the City's direct control. Vice Chair Graf expressed shared concern about the broader trend of surveillance technology, referencing, as an example, a recently reported Walmart patent that would measure shoppers' biometric data through shopping cart sensors. He stated he would not support the use of devices to listen to private conversations in public spaces and encouraged the public to continue raising these concerns.

Council member Washington provided an update on the ICE detention facility, noting that she and Council member Lopez had toured the facility on August 6th at the arrangement of Sheriff Arbon, accompanied by ICE Field Office Director Knight and other officials. She stated that her written report was nearly complete but that she had submitted additional follow-up questions to facility leadership and wished to incorporate the responses before delivering a comprehensive report from the dais, which she expected to do the following week. She expressed regret for the time it had taken and committed to sharing her report with all Council members and making it publicly available. Council member Washington also indicated she had submitted a request to staff for information on the City's annual expenditures on the Flock system and was awaiting a response.

Council member Peterson shared his research on the Flock system, affirming that Ogden Police Department (OPD) requires a case number to access the Flock database, does not share access with other law enforcement agencies, and maintains a transparency log of database queries. He referenced the Chief of Police's January work session presentation as a thorough resource on the topic. Council member Peterson identified remaining technical questions—including the security of data in transit, the location of cloud servers storing the data, and the reliability of data scrubbing when requested—as areas warranting further inquiry. He noted that OPD retains data for only 30 days given the real-time nature of its investigative use. Regarding the ICE facility, Council member Peterson acknowledged he had not yet visited and stated he would publish a written policy statement on the matter in the future.

Council member Lundell suggested the Council consider drafting an ordinance to formally govern the use of surveillance technology, noting that Salt Lake City was reportedly pursuing a similar measure. He also flagged a recent update in which Flock had changed its default data retention setting from 30 days to 7 days, and asked Administration to clarify whether Ogden's settings had been adjusted accordingly and whether the shorter retention period might be worth adopting.

Chair Hyer offered brief comments affirming his support for constitutional privacy rights and his general comfort with

OPD's current, limited use of Flock cameras for stationary, specific purposes. He expressed concern about unintended consequences and indicated openness to the idea of a formal ordinance to ensure continued compliance with public privacy expectations. He also acknowledged the challenges posed by artificial intelligence broadly, while noting uncertainty about what role local government could meaningfully play. He thanked all members of the public for attending and participating.

Vice Chair Graf addressed a social media matter that had generated community discussion during the prior week. He explained that he had shared content from a Facebook page to his personal Facebook page, which prompted responses that he characterized as bullying, hateful, and profane. He deleted the comments and subsequently unfriended individuals he did not know prior to his service on the Council. Vice Chair Graf clarified that the page in question was his personal Facebook profile—not his official "Dave for Ogden" public page—and stated that he would not block anyone from his official page, inviting those with concerns to direct their comments there where they would be visible to the public.

Council member Lundell requested guidance from the City Attorney on the legal distinction between a personal social media page and an official one, particularly when City-related content is shared on a personal page. City Attorney Williams explained that official-style pages should generally avoid selectively deleting public comments, whereas personal pages remain protected individual speech. He noted, however, that courts have identified a gray area in which a personal page may effectively become an official one if it incorporates City branding, identifies the user in their official capacity, posts City decisions, or actively solicits official public feedback. He concluded that Vice Chair Graf's description of his page appeared to fall clearly within the bounds of a personal page.

There being no further business to come before the Council, **VICE CHAIR GRAF MOVED THE MEETING ADJOURN AT 7:09 P.M. MOTION WAS SECONDED BY COUNCIL MEMBER LOPEZ, ALL VOTING AYE.**

JASON GOULD
DEPUTY CITY RECORDER

RICHARD A. HYER, CHAIR

APPROVED: September 15, 2026