

Minutes of the regular meeting of the Ogden City Council held on Tuesday, September 1, 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
 Jeremy Peterson
 Ken Richey
 Alicia Washington

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

Also present: Mayor Benjamin K. Nadolski
 Chief Administrative Officer Taylor Nielsen
 City Attorney Gary Williams
 Public Services Assistant Executive Director Edd Bridge
 Planning Director Barton Brierley
 Community and Economic Development Executive Director Jared Johnson
 Community and Economic Development Assistant Executive Director David Sawyer
 City Recorder Tracy Hansen

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

Approval of Minutes

Council member Lopez stated she had reviewed the minutes of the joint session of July 14, 2026, and found them to be accurate to the best of her recollection.

Council member Lundell stated he had reviewed the minutes of the special meeting of July 14, 2026, and found them to be accurate to the best of his recollection.

Council member Richey stated he had reviewed the minutes of the work session of July 21, 2026, and found them to be accurate to the best of his recollection.

Council member Washington stated she had reviewed the minutes of the special meeting of July 21, 2026, and found them to be accurate to the best of her recollection.

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

Arts Advisory Committee

A letter from Mayor Nadolski requesting consideration of the re-appointment of Deann Armes and the appointment of John Hampton, Elizabeth Suggs, and R. Boyd Hunter to the Ogden City Arts Advisory Committee came before the Council for consideration.

COUNCIL MEMBER RICHEY MOVED TO APPROVE THE RE-APPOINTMENT OF DEANN ARMES AND THE APPOINTMENT OF JOHN HAMPTON, ELIZABETH SUGGS, AND R. BOYD HUNTER TO THE OGDEN CITY ARTS ADVISORY COMMITTEE. MOTION WAS SECONDED BY VICE CHAIR GRAF, ALL VOTING AYE.

Proposed Ordinance 2026-17 reclassifying property generally located at 497 and 605 Grant Avenue and 253 4th Street from Single-Family Residential (R-1-6) to Open Space (O- 1) to be used for the expansion of the 4th Street park

A memo from the Community and Economic Development Department regarding a proposed rezone at Grant Avenue

and 4th Street came before the Council for consideration. The memo stated Administration has proposed an amendment to the zoning map to rezone approximately seven acres of City-owned property from R-1-6 (Single-Family Residential) to O-1 (Open Space). The proposal is related to the planned expansion of the 4th Street ballpark and would apply the same zoning designation as the existing park to recently acquired properties.

Planning Director Brierley summarized the memo and stated this property was part of the former Lynn Elementary site, which the City acquired with the intention of extending the 4th Street Ballpark. The City also owns two adjacent homes that would be included in the zone change, with the understanding that they could eventually become part of the park. Mr. Brierley stated that the rezone aligns with the General Plan policies to expand community recreational activities and add quality new parks and open spaces, particularly to accommodate sports fields and tournaments, which have a positive economic impact. He noted that the open space zoning would be consistent with the character of the area, which includes the existing ballpark, a church, and the former school. He concluded the Planning Commission has considered the application and forwarded a positive recommendation to approve the zone change.

Council member Washington inquired if the zone change aligns with the Lynn Community Plan. Mr. Brierley confirmed it does, envisioning the park's expansion in this area, though he acknowledged many community plans are old, with the Lynn plan having only minor amendments since 2007. Council member Washington then asked if studies had been conducted on the potential for housing on the 5.87-acre Lynn Elementary parcel. Mr. Brierley stated that a brief look at housing layouts was performed when the City considered purchasing the property, but no detailed study was conducted. Council member Washington also asked about studies regarding increased services, infrastructure, or water usage for the expanded ballpark, noting a projected cost of \$33.5 million for the full expansion. Mr. Brierley confirmed Public Services had studied ballpark layouts but was unaware of specific water usage studies.

Council member Lundell asked about the condition of the two homes being rezoned and imminent plans for their removal. Public Services Assistant Executive Director Bridge reported that the home to the north is currently rented, while the home to the east is not in condition to be rented. He confirmed the home to the east is planned for demolition to become part of the park. Council member Washington asked if the City had explored rehabilitating the unoccupied home through programs like "Own and Home Sweet Ogden." Mr. Bridge stated he would not be able to provide information about any such evaluation of the viability of home rehabilitation. Council member Lundell clarified that rezoning the northern home to open space would not prevent it from functioning as a home as long as the City, as owner, chose for it to remain so. Mr. Bridge stated that is correct.

Chair Hyer introduced in writing proposed Ordinance 2026-17, 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 Open Space (O-1) property heretofore classified as Single-Family Residential (R-1-6) generally located 497 and 605 Grant Avenue and 253 4th Street; 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.

Leslie Stock expressed concern over the demolition of old architectural buildings and trees, advocating for different thinking and more public input in democracy. She suggested designated streets for local traffic, more bike and horse paths, and building "earthships" for the homeless.

Laura Lewis asked if neighboring property owners had been surveyed or notified about the large park expansion project, and if parking plans were in place. She expressed concern about the impact the project could have on the neighborhood.

No further persons came forward to be heard

Mr. Brierley stated that notices were sent to neighbors, and public hearings were held by the Planning Commission. Mr. Bridge added that plans were shown at open houses, and feedback from a few people was positive, with requests for trails to be constructed in the area. Mr. Brierley confirmed designs considered parking, and Mr. Bridge stated the parking would be substantial to meet the needs of the project.

Council member Washington asked about public access to the expanded fields versus rental use, noting the current 4th Street Ballpark has three softball fields, four sand volleyball courts, a concession stand, playground, and parking. Mr. Bridge clarified that ball fields require scheduling through the Recreation Division, but the playground is open to the public. He confirmed the expansion would include playgrounds and trails, benefiting the community.

Council member Richey expressed strong support for the rezone, viewing the Lynn School property acquisition as an opportunity to expand the 4th Street Ballpark. He highlighted the value of youth sports, tournaments, and their economic impact, as well as the expansion of open and green space in District Three of the community. Chair Hyer added that public input at the time the property was purchased strongly favored park space over housing. He emphasized that this is a unique opportunity to create a significant recreational amenity that cannot be duplicated and will catalyze development in the adjacent Five Points area, offsetting criticism about too much apartment housing.

Council member Lundell questioned why the northern home at 253 4th Street, which is currently occupied and not part of imminent park expansion plans, was included in the rezone. Mr. Bridge explained it was included for easy integration into the park space and future expansion, but confirmed it was not in the next phase of development. Council member Richey confirmed that rezoning to open space would not prevent the home from functioning as such. Mr. Bridge stated that is correct.

Council member Washington communicated her concerns about the age of the Lynn Community Plan, the lack of housing studies for the 5.87 acres, and the projected \$33.5 million cost for the ballpark expansion without balancing it against potential housing. She emphasized the distinction between "open space" and "park space" and the need for studies to ensure a balance between open space, park space, and homes.

COUNCIL MEMBER LUNDELL MOVED TO REMOVE THE PROPERTY LOCATED AT 253 4TH STREET FROM PROPOSED ORDINANCE 2026-17. COUNCIL MEMBER WASHINGTON SECONDED THE MOTION. VOTING AYE – COUNCIL MEMBERS LUNDELL AND WASHINGTON. VOTING NAY – COUNCIL MEMBERS LOPEZ, RICHEY, PETERSON, VICE CHAIR GRAF, AND CHAIR HYER.

ON A MOTION BY VICE CHAIR GRAF AND SECONDED BY COUNCIL MEMBER RICHEY, ORDINANCE 2026-17 WAS ADOPTED UPON THE FOLLOWING ROLL CALL VOTE: VOTING AYE – COUNCIL MEMBERS LOPEZ, PETERSON, RICHEY, VICE CHAIR GRAF, AND CHAIR HYER. VOTING NO – COUNCIL MEMBERS LUNDELL AND WASHINGTON.

Council member Washington explained her opposing vote, citing concerns about the lack of constituent input favoring the ballpark expansion, the potential future costs, and the interchanging of "open space" and "park space" definitions. She emphasized the need for studies on housing potential given the city's limited land and housing crisis and expressed concern about demolishing homes without such studies.

Council member Lundell expressed concerns for the residents of the northern property and suggested the rezone for that home could have been handled separately. He also called for more public input and transparency as the park expansion continues.

Public Comments

Rui Arguello expressed deep disappointment and fear regarding Ogden Police involvement in Immigrations and Customs Enforcement (ICE) activity, stating it destroys trust and makes families afraid to report crimes. She requested clear, written, enforceable rules prohibiting city personnel from assisting civil immigration enforcement unless legally required, transparency in reporting ICE support, and training for officers on protecting community trust.

Derek Fisher stated he is the current President of the Weber Fraternal Order of Police (FOP) and noted he was joined with other leadership members of the FOP; he stressed he was not taking a position on immigration enforcement but addressed the impact of public discussion on employees and the community. He requested that Council members speak with Police leadership before drawing public conclusions, emphasizing the need for officers to make lawful decisions without political controversy. He also renewed a challenge for Council members to attend the Citizens Police Academy to understand police training and responsibilities.

Alexa (no last name given) raised concerns about Automatic License Plate Readers (ALPRs) in Ogden, describing them as constantly active cameras that capture faces and run them through AI databases. She cited examples from Denver and Pflugerville, Texas, to illustrate potential misuse, lack of transparency, and privacy concerns, advocating for canceling contracts with ALPR providers.

Sandy Cochran expressed disappointment at an Ogden police officer working with an ICE agent to apprehend a resident who had asked for help, calling it shameful. She urged the Council to condemn this behavior to restore trust in law enforcement.

Kayla Hendrickson acknowledged the Ogden Police Department (OPD) is not in a 287 agreement with the Federal Government, but requested Ogden City create a clear and public policy for how OPD should interact with ICE, ensuring all officers know the policy. She stated that without transparent policy, residents will not feel safe calling the police.

Emily Fox expressed dismay that concerns about OPD-ICE policy, voiced earlier in the year, had materialized. She urged the Council to be brave and put a clear policy in writing to rebuild trust and prevent officers from being in ambiguous situations. She also raised concerns about Flock cameras.

Parker Goss expressed anger at the apparent collaboration between OPD and ICE, stating that tax money should be reinvested in the community, not used to aid ICE. He argued that immigrants are not the threat and called for the Council to take a stand on the side of the community.

Gerardo Sanun shared his personal experience as an immigrant and U.S. citizen, emphasizing the importance of enforcing the law to prevent chaos. He stated that while he does not support separating families, repeat criminal offenders who are immigrants should be reported to ICE. He called for a balance between enforcing the law and showing mercy.

Malik Dayo stated he had previously warned the Mayor and Council about ICE concerns. He criticized the Administration's inaction and lack of policy/training, alleging an officer in a video circulating on the internet fully cooperated with ICE and even "sicked ICE" on Council member Lundell the moment he believed he was being filmed. He questioned the Administration's lack of emergency meetings to review the incident since it occurred. He encouraged the Council and Mayor to take ownership of their part of the problem and seek a way to move forward and implement changes to ensure something similar does not happen again.

Annie Dunaway stated the issue is not about one officer but about the community's values: ensuring neighbors live without fear of unfair pursuit, honoring due process rights, and feeling safe calling police regardless of immigration status. She urged the City and Mayor to create clear procedures reflecting these values, providing clarity for officers and consistency for the community.

Elena Montenegro Long raised concerns about the disregard for due process, i.e., conviction for criminality, deportation orders, or a warrant for arrest in ICE actions. She also criticized the lack of detailed information during the earlier discussion of the 4th Street Park rezone agenda item, expecting to hear about funding sources, public comments, and pros and cons of the project.

Kim Haslam stated the issue is not about blaming individual officers but about providing them with better guidance. She emphasized the need for clear written policies on OPD-ICE interactions to restore trust and predictability, noting that

current assurances are hard to believe after the recent incident.

Brexton Oleski Lee accused elected officials of destroying trust by falsely assuring constituents about safety with police and non-collaboration with ICE. He questioned if they were lying or incompetent and called for taking responsibility and working with community members to establish clear guidelines.

Jan Christiansen Hiller asserted that if the Council does nothing about OPD's work with ICE, they are complicit.

Matthew McFarland continued his presentation from two weeks prior on a savings plan to end taxes and poverty, proposing a multi-phase approach to provide accounts and annual payments to citizens, eventually covering everyone and solving economic issues.

Destina (no last name given) expressed concern as a lifelong resident about the unclear policies regarding OPD-ICE interactions and flock cameras. She asked for written policies, clarification on ICE access to flock camera data, and a precise definition of "not cooperating with ICE."

Casey Welch shared a personal anecdote about his garden and a quote from Wendell Berry about the miraculous-ness of life, particularly human life. He urged the Council to disagree on politics but not on the value of human life, praising Council member Lundell for filming the incident.

Robert Hunter praised citizens for speaking up. He spoke in support of Council member Peterson, recounting his past community involvement in the "Weed and Seed" project and his efforts to help the homeless in the state legislature.

Dan Martinez addressed Council member Lopez directly, expressing disappointment that earlier meetings with the community about protecting working-class people and immigrants did not result in policies. He accused her and former Council member Luis Lopez of saying "no" to community needs and pushing against measures to protect immigrants, leading to the current situation. Vice Chair Graf intervened, urging Mr. Martinez to correct his tone and cease directly addressing Council member Lopez. Mr. Martinez stated he is very upset about the OPD and ICE participating in racial profiling, especially when Council members had advance warning that would occur.

Alexa Hubert commented on OPD's actions assisting federal immigration officers, stating it shows a presumption of guilt. She urged the Police to look at internal policy before blaming public opinion and implored the Council to create better policy and procedure to rebuild public trust and safety for all residents.

Thor Dorosh criticized Ogden City's "wait it out" policy on ICE, stating that inaction will lead to escalating incidents. He warned that community members will continue to voice concerns at meetings, elections, and canvassing, and that ICE's aggressive strategy in Utah is accelerating. He encouraged his generation to stay engaged.

Carolyn Quinn shared positive experiences with Ogden Police but expressed concern that the erosion of public trust makes it difficult to teach children to trust "Officer Friendly." She urged the Council to address this erosion of trust.

August (no last name given) pleaded with leaders to not only follow the law but also to be human beings, showing sympathy and empathy for the less privileged. He expressed trust that something would be done to address the community's concerns.

Laura Withers shared her family's immigrant history and argued against painting all immigrants with a broad brush. She stated that lawbreakers should be prosecuted but people should not be arrested based on appearance or immigration status alone. She urged the Council to regard people as human beings and return to the country's roots as a nation of immigrants.

Taylor Knuth criticized Vice Chair Graf's "tone policing" of Dan Martinez, citing Council rules and norms on free speech for elected officials. He also accused Council leadership of inaction on the matter of flock cameras and lack of oversight, providing details on ALPR data sharing and searches.

Travis Pate reflected on his multicultural upbringing and the importance of education and unlearning prejudice. He acknowledged the need for fine-tuning police policy but praised the public service outreach of police, fire, and EMS. He suggested citizens "tone it down" and consider alternative solutions for issues like the Forest Service building.

Sean Bishop quoted Stephen Sondheim - "nice is different than good" - to challenge the focus on tone over substance. He urged Council members to act as if the issues (ICE, ALPRs) affect their own families, criticizing the argument made on behalf of Council members that they have a hard job. He asserted, rather, that there is a lack of appreciation for public bravery.

Julian Snyder spoke about the need for diverse ingredients in life, including on the Council. He read a passage about the difficulty of finding agreement among diverse people and the difference between unity and conformity, questioning if minority views are truly represented.

Laura Lewis stated the ICE incident could have been a learning experience handled quietly, but instead created division, fear, and anger. She criticized the Council for allowing hostility towards the Police and urged them to reconsider how they share information.

Arlene Anderson expressed heartbreak over the impact of ICE actions on families and school enrollment. She stated she no longer trusts Ogden City Police and urged the Council to establish clear protocols for officers to prevent family separation.

Heath Satow acknowledged the Mayor's good intentions but emphasized the need for written policy to guide police in ICE interactions, stating officers should not have to "wing it." He argued that fear of contacting police leads to underreported crimes and harms all communities.

Rene Varela criticized Council member Lopez's previous email referencing "true threats" in response to criticism, asserting First Amendment rights. He questioned the Council's stance on federal authority (ICE) versus free speech and urged for accountability and an independent legal review of policies. He also questioned Council member Lopez's stance on racial profiling by ICE given her previous comments.

Dave Timmerman stated he is a retired Salt Lake City detective and expressed concern about the direction of law

enforcement, particularly regarding probable cause and racial profiling by ICE. He urged the Mayor to discuss policies with Chief Sube to ensure alignment with constitutional rights.

Teresa Bramwell stated she is an Ogden taxpayer and property owner and she cited a KSL News Radio report on Ogden City and ICE. She shared her experiences as a crime victim and defended police officers as working-class people who face danger. She believed the officer in the video was not complicit with ICE and was put in a difficult situation.

Jamie McKee stated she is a survivor of domestic violence and retired Navy corpsman, and she criticized the Council for allowing OPD to discredit trauma as political division. She cited the Utah Compact on Immigration and religious obligations to compassion, arguing that law enforcement and human dignity are not opposing principles.

Lucia Madrigal took a public stand in defense of Ogden's immigrant families, stating that fear of enforcement harms everyone. She asked the council and mayor to reaffirm that city resources will not be used to enforce federal immigration law, ensure City facilities are safe spaces, and provide clear public information on rights in multiple languages.

Chair Hyer thanked the public for their comments and civility.

Mayor Comments

Mayor Nadolski also thanked everyone for their input, stating he had listened and would take all input under consideration. He mentioned policy development had been underway before the recent incident and shared advice to all concerned about the matter to "be quick to listen, slow to speak, and slow to get angry." He thanked a constituent for sharing that advice with him and would urge the entire community to follow this advice.

A brief disruption occurred, leading to a recess.

Council member Comments

Council member Lundell addressed the lack of open communication with Administration regarding ICE activities in Ogden City and confirmed his enrollment in the Citizens Police Academy and participation in a ride-along. He emphasized that the issue is about "people," not "politics," and that civil rights issues are inherently divisive. He stated that the community's distrust of ICE is evident and that City resources should not be used to provide safety for ICE. He cited the Utah Constitution's guarantee of rights to "all persons" and expressed hope for better policy to prevent future incidents.

Council member Lopez thanked Daniel Martinez and others for their comments. She invited Mr. Martinez to review the March 3, 2026, work session where a resolution was withdrawn. She spoke about her identity as a Mexican American, her family's undocumented members, and her understanding of immigrant fears. She stated she does not trust ICE but distinguishes this from distrusting local police. She emphasized her role as an elected official to seek truth, act with integrity, and make decisions based on facts, not pressure or social media. She condemned bullying and questioning her loyalty to the Latino community, stating she will continue to investigate and vote independently. She confirmed a recent meeting with Chief Sube to understand the situation.

Council member Washington clarified that she was unaware of meetings with Chief Sube and wanted to see any minutes of those meetings. She acknowledged her own fault in not reaching out to fellow Council members or Chief Sube but called for the Council to work collectively. She proposed a full review of the incident, revisiting internal policies, and creating a committee to ensure the 14th Amendment is the norm for OPD and affiliates. She committed to pursuing a Council initiative to develop ICE policies for codified, transparent review.

Council member Richey encouraged review of the January 20, 2026, work session discussion on ALPRs. He acknowledged a trust breakdown and uncertainty, attributing it to incomplete information. He described his review of the body camera footage, commending the officer for de-escalating and not directly assisting ICE enforcement, while noting the officer's difficult position. He cited State law prohibiting local agencies from restricting assistance to federal immigration enforcement, stating the Council cannot "buck state law." He also emphasized personal responsibility and the long-standing presence of ICE in Ogden.

Vice Chair Graf acknowledged the frustrations that have been expressed regarding ICE activities in the Ogden community and agreed that their activities have been problematic; he emphasized, however, that the City does not have control over ICE any more than it has control over agencies managed by other government entities. The Council can work with City Administration and the Police Chief to establish policy, but he asked all who have spoken about the recent occurrence to put themselves in the shoes of the police officer that found himself in the situation with an ICE officer. He believes the police officer handled himself very appropriately in a very difficult situation. It is nearly impossible to try to train police officers for every possible situation they could encounter and now is a time to learn from any mistakes that were made. He addressed ALPRs in the community and referred to the matter as one that is very fluid and evolving; he will continue to monitor the situation and he asked the public to educate themselves on what Ogden is doing and refrain from conflating Ogden's policies with those of other entities – particularly those of Weber County Sheriff's Department. He concluded by addressing the claims that he participated in 'tone monitoring'; he reviewed the City's civility statement and stated that it is printed on each Council meeting agenda. All participants are to be dignified, respectful, and courteous and he deemed Mr. Martinez's tone of voice to be inappropriate in this setting. Chair Hyer found the need to adjourn the meeting after it was disrupted by a member of the public.

Council member Peterson stated that all Council members share humanitarian concerns for the immigrant community. He described Ogden City's policy as precariously balancing heavy-handed enforcement and disregard for the law, aiming to meet humanitarian needs while ensuring community safety. He expressed concern that the current attention might endanger

this delicate policy and warned against "poking the federal bear" or "state bear," which could harm the community.

Council member Washington asked Council member Peterson to state the policy he referred to, and he clarified it was the Administration's stated policy of not enforcing immigration policy or detaining people for immigration status. She requested that this policy be shared in a future work session.

Chair Hyer reiterated that the Council, as a local legislative body, cannot override state or federal laws. He urged citizens to contact federal legislators to change immigration laws. He praised undocumented immigrants for their productive qualities but urged them to pursue legal status. He defended police officers, stating they are well-trained, receiving over 130 hours of training per year, will not obstruct the law, and are not political pawns. He criticized the release of incomplete video footage and comments that sowed chaos. He commended Council member Lopez for her dedication and condemned the bullying she had experienced.

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

TRACY HANSEN, MMC/CRA
CITY RECORDER

RICHARD A. HYER, CHAIR

APPROVED: October 6, 2026