

Minutes of the regular meeting of the Ogden City Council held on Tuesday, September 15, 2026 at 6:02 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 Director Brandon Garside
Council Communications Specialist Eric Davenport

Also present: Chief Administrative Officer Taylor Nielsen
 City Attorney Gary Williams
 Community and Economic Development Executive Director Jared Johnson
 Community and Economic Development Assistant Executive Director David Sawyer
 Assistant Planning Director Joe Simpson
 Neighborhood Development Director Jeremy Smith
 Deputy City Recorder Jason Gould

At the request of the Chair, all present stood for the Presentation of Colors by the Hill Air Force Base Honor Guard and recited the Pledge of Allegiance led by Vice Chair Graf.

A moment of silence was observed.

Acknowledgements: Chair Hyer: Read a statement for Constitution Week, emphasizing that Constitution Day is September 17th, and this year marks the 250th anniversary of the nation's founding. He highlighted the Constitution's role in establishing limited government, protecting rights derived from the Creator, and ensuring checks and balances. He stressed the importance of understanding, respecting, and defending the Constitution, especially when disagreeing with the exercise of freedom. He quoted Thomas Jefferson on interpreting the Constitution and noted that the Declaration of Independence was the promise, and the Constitution the fulfillment. He also mentioned that those listening can go to nccs.net to sign your own copy of the Constitution.

Council member Lopez recognized National Hispanic Heritage Month (September 13th to October 15th), celebrating Hispanic and Latino families' contributions to Ogden's diversity. She proudly noted that Salt Lake City's Future Citizenship Path program is based on Ogden's Path to Citizenship program, demonstrating Ogden's leadership and model for investing in people.

Council member Washington acknowledged September as Suicide Prevention Awareness Month. She provided the National Suicide and Crisis Lifeline number (988) and announced the 19th Annual New Hope Suicide Awareness Walk on Saturday, September 19th, from 11:00 AM to 1:00 PM at the Ogden Amphitheater. She also noted that today was National Voter Registration Day and encouraged checking voter registration status or registering at vote.utah.gov.

Council member Lundell acknowledged the Ogden Downtown Alliance for their work on the summer Farmers Market and congratulated them on the second annual "Dogden" event, praising it as a community-led initiative.

Joint Proclamation Declaring September 17-23, 2026 as Constitution Week in Ogden

A Joint Proclamation declaring September 17-23, 2026 as Constitution Week in Ogden came before the Council for consideration. Vice Chair Graf read the joint proclamation, after which **VICE CHAIR GRAF MOVED TO APPROVE THE JOINT PROCLAMATION. MOTION WAS SECONDED BY COUNCIL MEMBER RICHEY, ALL VOTING AYE.**

2026 Ogden Poet Laureate Sunni Wilkinson will introduce herself, read a poem, and discuss upcoming events

Sunni Wilkinson, 2026 Poet Laureate of Ogden, introduced herself; she has taught creative writing at Weber State University (WSU) for over 20 years, has published poetry, and served on the Ogden City School Board. Her role as Poet Laureate is to advocate for literary arts, organize events, visit schools, and bring poetry into daily life to foster community unity, personal expression, and understanding. She announced the following upcoming events:

- **Utah Book Festival (October):** She will advertise literary events in Weber County.

- **Northern Utah Trail Fest (early October):** Poetry reading around a fire on a Friday evening.
- **Interfaith Concert (second Sunday in October):** She will read poems.
- **Railtown Readings (Weber County Main Library, October 6th):** A reading series she helps run, featuring reputable writers who are coupled to read with local writers, and an open mic. She will read with Alberto Ríos, the first Poet Laureate of Arizona.
- **"The Book That Changed Me" (Saturday, October 7th):** An event celebrating books and literature, with community members (including Alicia Washington) sharing books that impacted their lives.
- **Spring Events:** Collaborations with local artists and poets at the Shaw Gallery (Weber State) and Dumke Arts Plaza.
- **Nature Center Event:** A nature walk with a scientist and artist, where community members will write poetry and sketch art.

Ms. Wilkinson expressed excitement about visiting schools and shelters, believing everyone has a story to share, and poetry can be an outlet for processing experiences. She invited the Council to include her in ribbon cuttings, celebrations, and award ceremonies. She concluded by reading her poem "Rodeo," which features elements of Ogden City.

Approval of Minutes

Council member Lopez stated she had reviewed the minutes of the Closed Session of August 4, 2026 and found them to be accurate to the best of her recollection.

Council member Richey stated he had reviewed the minutes of the Joint Work Session of August 11, 2026 and found them to be accurate to the best of his recollection.

Council member Peterson stated he had reviewed the minutes of the Work Session of August 18, 2026 and found them to be accurate to the best of his recollection.

Council member Washington stated she had reviewed the minutes of the Regular Meeting of August 18, 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 LOPEZ, ALL VOTING AYE.

Consideration of the appointment of Kathy Robles, and the re-appointment of Jeremy Smith, Mary Carroll, Eric DeFries, Ward Ogden, and Dani Wright to the Ogden Housing Authority

A letter from Mayor Nadolski requesting consideration of the appointment of Kathy Robles and the re-appointment of Jeremy Smith, Mary Carroll, Eric DeFries, Ward Ogden, and Dani Wright to the Ogden Housing Authority came before the Council for consideration.

COUNCIL MEMBER RICHEY MOVED TO APPROVE THE APPOINTMENT OF KATHY ROBLES AND THE RE-APPOINTMENT OF JEREMY SMITH, MARY CAROLL, ERIC DEFRIES, WARD OGDEN, AND DANI WRIGHT TO THE OGDEN HOUSING AUTHORITY. MOTION WAS SECONDED BY VICE CHAIR GRAF, ALL VOTING AYE, WITH THE EXCEPTION OF COUNCIL MEMBER WASHINGTON, WHO VOTED NAY.

Council member Washington explained her opposing vote, stating that while she supported the appointment, she found the information provided for the reappointments lacking, particularly regarding the rationale supporting the reappointments. She expressed a desire to review and recommend committee appointment process improvements to Council leadership.

Chair Hyer recognized Jeremy Smith, who was present in the chambers, for his service.

Proposed Ordinance 2026-18 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 with a Conditional Overlay (R-2S/CO) property heretofore classified as Single-Family Residential Zone (R-1-6), generally located at 410 North Lockwood Drive

A memo from the Community and Economic Development Department regarding the proposed rezone of property at 410 North Lockwood Drive came before the Council for consideration. The memo stated Murrell Martin has proposed an amendment to the zoning map to rezone approximately 0.5 acres at 410 North Lockwood Drive from R-1-6 (Single-Family Residential) to R-2S/CO (Two-Family and Small Lot Residential with Conditional Overlay). The proposal would allow the property to be subdivided into three lots, with two lots developed with attached townhomes and the existing single-family home retained on the third lot. The proposed development agreement would require owner occupancy of the property for 10 years following final plat approval.

Assistant Planning Director Simpson summarized the memo and stated provided details regarding the subject property, a half-acre lot at the corner of Lockwood Drive and Washington Boulevard, currently with a single-family home. The owner seeks to add two townhomes on a vacant portion of the property, with the existing home remaining. Washington Boulevard is a commercial corridor. The area includes commercial, professional institutional, single-family, and manufactured home zones. R-2S zoning would create a transition area. The proposal aligns with general plan policies supporting more intensive uses along arterial streets, using streets as zoning boundaries, and creating transition areas. It also supports increasing owner-occupied residential units. The proposed townhomes would access Lockwood Drive, not Washington Boulevard, due to intersection proximity. If approved, the project would require a group dwelling review and platting for individual unit ownership. A development agreement

would include a deed restriction requiring owner occupation for 10 years after subdivision plat approval. Mr. Simpson concluded that the Planning Commission recommended approval of the zone change with a development agreement.

Chair Hyer introduced in writing proposed Ordinance 2026-18, 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 with a Conditional Overlay (R-2S/CO) property heretofore classified as Single-Family Residential Zone (R-1-6), generally located 410 N. Lockwood Drive, and by providing that this ordinance shall become effective immediately upon posting after final passage.”

Council member Peterson inquired about the potential for increased density and the impact increased congestion could have on the broader neighborhood. Mr. Simpson acknowledged that infill is a way to accommodate housing and that more opportunities might exist, but each rezone application is evaluated against the General Plan. He noted that the concept meeting process, involving various City departments, helps ensure feasibility.

Chair Hyer indicated the subject property is located in his district, and he confirmed that residents are concerned about congestion and difficulty turning left onto Washington Boulevard; he suggested exploration of a signaled intersection at 1100 North.

The petitioner, Murrell Martin, spoke, expressing his love for Ogden City and his intention to remain in the area indefinitely. He provided historical context for the property, noting it was once a dairy and later a large garden. He highlighted the high cost of water for maintaining a large garden and explained that the twin homes represent the highest and best use for the property. His intent is to build two 4-bedroom, 2.5-bath homes with 2-car garages, each with fenced front and side yards. They would share driveway ownership, with an easement for the existing home's parking.

Chair Hyer then called for public input regarding the proposal.

Linda Sanchez supported owner-occupied housing and water conservation aspects but raised concerns about existing construction, water line problems in the area, and safety due to a nearby preschool, assisted living facility, and elementary school. She suggested a traffic light on Canfield instead of Lockwood to ease congestion.

Heath Satow supported the project, viewing the large lot as an opportunity for more owner-occupied housing for those who don't need large yards.

Annie Dunaway supported owner-occupied housing but corrected the petitioner's statement about water costs, arguing that water-efficient gardens do not cost more water than households. She criticized the continuous elimination of food growing spaces in planning, especially during a "massive food crisis," and urged the Council to plan for food access alongside housing.

Thor Dorosh supported the project, emphasizing land utilization and increasing tax-paying residents. He argued that Ogden, as a City, should focus on commerce and building equipment, leaving food production to rural areas.

No further persons came forward to be heard.

ON A MOTION BY COUNCIL MEMBER PETERSON AND SECONDED BY VICE CHAIR GRAF, ORDINANCE 2026-18 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.

Proposed Resolution 2026-11 authorizing the administration of a loan agreement with Synchrony Bank, to provide funds for Neighborhood Development Programs

A memo from the Community and Economic Development Department regarding the proposed renewal of the Synchrony Bank Line of Credit came before the Council for consideration. The memo stated the proposed resolution would authorize the Administration to enter into a new loan agreement with Synchrony Bank for a \$1.4 million revolving line of credit. The City uses the line of credit to build infill housing and to purchase, rehabilitate, and resell homes through its Neighborhood Development programs. The line is repaid as the homes are sold to qualified buyers. The current agreement expired in April 2026. The proposed terms are the same as those the Council approved in 2024, and the proposal does not change any program guidelines.

Neighborhood Development Director Smith summarized the memo and stated the purpose for the line of credit is to provide construction financing for City housing programs. He also summarized the terms of the line of credit renewal:

- Principal amount of \$1,400,000, revolving line of credit with withdrawals up to 2 years. Interest rate based on Secured Overnight Financing Rate (SOFR) plus 1.75 basis points (currently ~5.4%).
- Security in the form of a \$350,000 deposit.
- Repayment source will be proceeds from home sales.

Chair Hyer introduced in writing proposed Resolution 2026-11, entitled:

“A resolution of the Ogden City Council authorizing the Administration of a loan agreement with Synchrony Bank, to provide funds for neighborhood development programs.”

ON A MOTION BY COUNCIL MEMBER RICHEY AND SECONDED BY COUNCIL MEMBER WASHINGTON, RESOLUTION 2026-11 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 expressed disappointment in the Mayor's absence this evening and alleged that the Mayor's policies have scared the immigrant community and that he is trying to cover up actions of the Immigration and Customs Enforcement (ICE) agents in Ogden City. He urged the Council to take control of the City and protect their constituents, arguing that ICE's actions are morally wrong and target legal residents.

William Mitchell described a video he saw of ICE pulling a man from his car and wrestling him to the ground near Washington Boulevard, with Ogden Police Department (OPD) officers present. He stated he heard the man was a legal visa holder and that he resisted a lawful order to step out of his vehicle which ICE used to justify the use of force against him. He noted federal courts have found over 4,400 ICE detentions unlawful since October 2025 and criticized ICE for eroding trust and acting recklessly. He questioned how the City could ask people to become legal immigrants when ICE operates this way and urged the Council to take the threat to public safety seriously.

Margaret Kluthe expressed concern about Ogden Police helping ICE and the "heinous detention system." She argued that in medicine, stories you hear lead you to the truth with a greater percentage of time than the actual evidence. She cited an example from her practice where a patient's story led to a life-saving diagnosis despite a normal physical exam. She urged the Council to believe the stories of those affected by ICE.

Sarah Fisher referenced Chair Hyer's Constitution Week remarks at the beginning of the meeting, specifically those regarding the Fifth Amendment and due process. She asked the Council to review policy ideas previously submitted by the community to protect immigrants, acknowledging the Council's limited ability to change federal policy but emphasizing their role in local policy. She questioned why a police report was denied for an individual injured during an ICE interaction and urged the Council to contact federal representatives about the impact of ICE on local police trust.

Corinne Tolley addressed constitutional rights, particularly the Fourth Amendment regarding unreasonable searches and seizures. She alleged ICE ignores warrants, uses Department of Homeland Security (DHS) warrants instead of judicial ones, and creates a "community of fear," with parents telling children to wear clothes and shoes at night in case ICE breaks into their homes. She shared a Margaret Mead quote: "Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." She urged the Council to consider their own families in such a situation and do everything in their power to investigate.

Cameron Shurtz referenced the Eighth Amendment regarding cruel and unusual punishment. He described the September 3rd incident where a man was thrown to the ground, resulting in injuries requiring hospitalization. He stated that OPD refused to file a police report, telling the man to complain to DHS, despite OPD Policy 71 requiring reports for crimes, especially when a victim desires one. He asked why the report was denied, if OPD would document the complaint, and what the policy is for alleged crimes by federal officers. He then played a video of the September 3rd incident on his mobile phone.

Linda Sanchez reflected on the sacrifices of the founding fathers and the obligation to stand up for others. She quoted, "Tough times create strong men. Strong men create easy times. Easy times create weak men. Weak men create tough times." She expressed concern about contracts with agencies that use flock cameras, alleging they grant "lifelong access" to citizens' information to other agencies, and pledged to learn more and report back.

Thor Dorosh said that he helped to organize the recent flock camera information session hosted by the Weber County League of Women Voters and that it was specifically geared toward Weber County cameras. He praised their transparency in providing data to uncover flaws in the flock camera system. He urged Ogden City to show similar transparency regarding its contracts with Motorola, Flock, and Axon, especially given the higher number of cameras in Ogden. He acknowledged Ogden's flock camera policies are "some of the best in the country" but stressed the need for independent citizen audits.

Rene Varela stated that, as a brown resident and as a combat special warfare veteran, his oath to defend the Constitution did not end when he left the battlefield and it requires him to speak when constitutional protections are at risk in his own community. He stated that he cannot assume that federal agents will see him as a citizen, a neighbor, or a person with rights and he wonders if they will see him only by his skin color, name, or language. He cited challenges with immigration enforcement nationwide regarding warrantless arrests, Fourth Amendment violations, and detention without due process. He asked the Council to advocate for Latino residents and provide clarity on OPD policy to build trust.

Malik Dayo referenced official bodycam footage from the September 3rd incident, stating that at 7 minutes and 33 seconds, an officer asked an ICE agent, "Do you want to go deal with him?" referring to Council member Lundell, who was filming the incident. He condemned this as an unconstitutional action against a sitting Council member and criticized the Council, Mayor, and Police Chief for their silence. He asked why the officer made that request and urged the Council to show integrity and bravery by addressing and condemning the officer's actions.

Kim Haslam asked if an Ogden resident can report an assault to OPD, regardless of who committed it. She reiterated that the man injured by ICE on September 3rd was denied a police report. She asked if Council members would be able to file a report if assaulted by ICE and requested an explanation if no report was required. She cited Council responsibilities to pass resolutions, respond to citizen needs, and establish broad City policies, urging them to use their oversight authority to require an explanation from Administration regarding OPD policy, adherence, and accountability. She also requested an update on the Mayor's promised policy dealing with OPD interactions with ICE.

Brandi (no last name given) criticized the Council's appointment of Jeremy Peterson to fill a recent vacancy, stating he was not elected and has since dismissed community members as part of a "liberal conspiracy," blocking constituents on Facebook. She argued this rhetoric causes division and that residents are not "bussed in." She cited ICE's alleged actions – murdering 11 people since January 2025, tearing families apart, using children as bait, inhumane conditions – and stated that 86 percent of those detained have no violent criminal history. She questioned whose safety the Council is protecting. She also stated that blocking constituents on social media is a First Amendment violation, as ruled by the Supreme Court. She warned that voters would

remember who listened and who sowed division.

Annie Dunaway reiterated concerns about the Council's "lack of action" on ICE and flock cameras, despite overwhelming community comments. She echoed the previous speaker's comments about accountability and upcoming elections, urging the Council to start listening to and responding to constituent input. She criticized the Council for discussing Constitution Week while allowing citizens' rights to be dismissed or overlooked. She warned that voters are paying attention.

Alexa Vegvari stated her continued service to the community and country, but expressed disappointment that the Council does not seem to care about its people. She echoed calls for more rules for ICE and for OPD to check warrants and hold federal agents accountable, stating she is tired of people fearing to call the police. She urged the Council to fix it now before the situation worsens.

Heath Satow requested a stronger written policy regarding ICE interactions that can be debated and critiqued, as the current lack of a written policy leads to confusion. He also stated he was blocked by Council member Peterson on Facebook after correcting him about the Aspen House being permanent supportive housing, not a homeless shelter. He suggested Council member Peterson clear his block list or create an official Council member Facebook page.

Mayor Comments

In Mayor Nadolski's absence, Chief Administrative Officer Nielsen addressed construction in the north end of town (Canfield and Lockwood water lines, 1100 North storm drain lines, Lockwood and Canfield Phase 2), noting that infrastructure work will continue. He thanked the public for voicing concerns and pledged to look into them.

Council member Comments

Vice Chair Graf announced a work session scheduled for October 13th with the Police Chief regarding automatic licensed plate readers (ALPR), or flock cameras; this meeting will be open to the public but public interaction will not be permitted. He stated the Council is seeking continued insights into camera usage due to public and Council concerns. Regarding the September 3rd incident, he stated his understanding from the Sheriff and Police Chief is that individuals are required to comply with lawful orders to exit a vehicle. He reported that the individual refused to leave the car, was physically removed by ICE, and went to the hospital for shortness of breath and chest discomfort, not injuries from removal. He stated the Police Chief reviewed the video and found no brutality or cause for a report, referring the matter to ICE. He emphasized leaning on law enforcement authority over "speculation" or "stories." He acknowledged public frustration but stated that City Council members cannot direct policy for agencies like ICE, or even state patrol, or the sheriff. He said that he understands that the City Council meets publicly multiple times a month and so citizens naturally come here to share their frustrations, but he urged everyone to contact elected federal officials – Blake Moore, Mike Lee, John Curtis – who have the authority to make changes.

Council member Lundell thanked attendees and noted that Ogden was "ahead of the curve" relative to flock camera policies due to community input. He appreciated the public's role in bringing these issues to the Council's attention. He inquired if Ogden City would change its flock data retention policy from 30 days to 7 days, in line with Flock's new default/recommended setting.

Council member Peterson thanked Sarah Fisher for engaging in conversation with him during tonight's 5:30 p.m. open house and he thanked Kim Haslam for meeting with him earlier. He encouraged others to attend future meet and greet events which provide a better format for sharing ideas. He then noted that he plans to attend Annie Dunaway's upcoming urban farming project activity on the 17th. He acknowledged Mr. Satow and reminded him he is always available by phone.

Council member Washington asked Mr. Nielsen for a timeline on OPD's policy regarding interaction with ICE. Mr. Nielsen stated he would follow up and report back on a timeline. She then asked City Attorney Williams about the source of OPD policy and whether it will be drafted by Administration with support from the Police Chief, or is solely at the Chief's discretion. City Attorney Williams clarified that the police department develops its own policy, though Administration may offer suggestions. He added that state law limits the Council and Mayor's ability to push for specific immigration policies, so it must come from the Police Chief. Council member Washington then acknowledged Mr. Dayo's question about the officer's comment regarding Council member Lundell, stating it was "haunting" her and she would consult with other Council members for a stronger response. She mentioned that there was some discussion in June on an item of interest that Council leadership initiated, and she asked that leadership consider doing the same, with staff providing information presentations on flock camera and policies from other municipalities regarding ICE, and asked for advance budget/cost information for the City's continued participation with flock for the upcoming work session.

Council member Richey commented on the suggestion for OPD to verify warrants and get involved in immigration, noting this sounds like a 287G agreement, which the Sheriff actively encourages. He questioned if this is what the community is asking for. He addressed Mr. Dayo's comment about the officer and Council member Lundell, stating he did not know the answer and did not know if Council member Lundell felt his constitutional rights were infringed.

Council member Lundell responded to Council member Richey, stating he did not know at the time that the officer had asked ICE to "deal with him." He acknowledged that due to his privilege, it was not threatening to him, but it could be to others, which is concerning. He reiterated his own trust in Ogden City police but not ICE and found the officer's comment concerning upon hearing it from the video.

Chair Hyer assured those present that concerns about ALPRs have heightened his awareness, especially regarding the Fourth Amendment. He has spoken with leadership in other communities to find best practices that protect privacy while allowing law enforcement tools to be used in the community. His ultimate goal is to codify these best practices into state law. He addressed concerns about listening devices, clarifying that some listen for gunshots for triangulation, not speech, and are mounted away from

people, but acknowledged this is an issue he will continue to monitor. He expressed frustration with requests to change federal policy, stating that local City Councils lack the authority to trump federal policy. He emphasized the Council's focus on quality-of-life issues for residents and asked for public help in that endeavor.

There being no further business to come before the Council, **COUNCIL MEMBER RICHEY MOVED THE MEETING ADJOURN AT 8:05 P.M. MOTION WAS SECONDED BY VICE CHAIR GRAF, ALL VOTING AYE.**

JASON GOULD
DEPUTY CITY RECORDER

RICHARD A. HYER, CHAIR

APPROVED: October 20, 2026