



MINUTES OF THE CITY OF WEST JORDAN CITY COUNCIL WORK SESSION

Wednesday, October 14, 2020 - 5:30 pm
Approved October 28, 2020

This meeting was held electronically via Zoom and streamed on West Jordan's YouTube channel
base location at City Hall 8000 S Redwood Road • West Jordan, UT 84088

COUNCIL: Christopher McConnehey, Chair; Kelvin Green, Vice-Chair; Zach Jacob, Chad Lamb, David Pack, Kayleen Whitelock, and Melissa Worthen

STAFF: IT Director Robert Allred, Council Office Director Alan R. Anderson, Community Engagement Director Tauni Barker, Police Lieutenant James Bigelow, Economic Development Consultant Weston Blaney, Mayor Dirk Burton, Public Works Director Brian Clegg, Economic Development Assistant Manager Paul Coates, Assistant Planner Mark Forsythe, Community Development Director Scott Langford, Chief Administrative Officer Korban Lee, IT Administrative Assistant Rachel MacKay, Fire Chief Derek Maxfield, Assistant City Attorney Duncan Murray, Economic Development Director Chris Pengra, Council Office Clerk Cindy Quick, and City Attorney Robert Wall

PUBLIC: Randy Smith

CALL TO ORDER

Chair McConnehey called the work session to order at 5:30 p.m. He read a Notice of Declaration regarding electronic meetings without an anchor location due to COVID-19 dated October 8, 2020, and effective for 30 days.

A. *Timeline between Planning Commission and City Council*

Council Office Director Alan R. Anderson explained proposed amendments to City Code Section 13-7C and 13-7D to improve timing between Planning Commission action and City Council action. Planning Commission recommendation packets would be required to be submitted to the Council Office at least 10 business days (2 weeks) prior to being scheduled for Council action.

Chair McConnehey requested that references to "10 business days" read "no fewer than 10 business days" or "at least 10 business days" throughout. He suggested removing the phrase "for public noticing purposes" because public noticing was not the only purpose.

Council Member Green suggested striking the notes in 13-7C-4, striking 13-7C-5C(3), striking note #2 under 13-7D-4, and striking 13-7D-5B(2). He said he was in favor of relying on Council Rules for the process and striking all references to business day requirements. Chair McConnehey said he agreed with striking the sections suggested to avoid discontinuity between Council Rules and City Code. City Attorney Rob Wall stated there was no legal reason the sections discussed could not be deleted. A majority of the Council indicated approval for striking the sections suggested.

B. *Jordan Fields Master Development Agreement and Preliminary Development Plan*

On August 26, 2020, the Jordan Fields Preliminary Development Plan was presented to and discussed by the City Council, with a public hearing. Concerns were expressed by Council members and by a representative of the neighboring medical facility. Following the August 26th meeting, the applicant made a few changes to the plans and brought the Preliminary Development Plan back to the Council on September 30, 2020. Due to Code compliance concerns and dissemination of a communication from the

applicant's attorney that the Council did not have opportunity to review prior to the Council meeting, action was tabled to the October 14 Council meeting.

Community Development Director Scott Langford explained that the TSOD was generally used for larger properties. He reported that the Land Use Subcommittee had reviewed the concerns and proposed an amendment to TSOD ordinances to allow flexibility for smaller properties such as the subject property.

Council Member Jacob confirmed that the Subcommittee believed a change was needed to the Code and to the Development Agreement. Council Member Whitelock said she had struggled with the amount of open space for the proposed number of people. She said she knew the proposed plan included more than required by ordinance, but suggested the Council should review the City's open space requirements. Mr. Langford responded that transit-oriented development tended to have more plaza space than green space. Council Member Green suggested open space requirements should be reviewed for more than just TSOD. He spoke of usable open space versus not-usable open space. Council Member Green expressed the opinion that density should be traded for something that benefited the community and said he did not believe the ordinance set up the trade-off very well. He suggested considering the purpose of the TOD, and examining TODs that work to mirror them.

Council Member Whitelock said she agreed with Council Member Green, and said she believed the Code should be adjusted to require something that was truly mixed-use. She said that, although a lot of shopping was now online, she knew people wanted places to go – places to eat, places for recreation, places to shop. Council Member Pack said he agreed with Council Members Green and Whitelock. As a former member of the Planning Commission, Council Member Pack said he did not remember the Commissioners believing that unusable space should be included in the required open space calculation. He said he agreed that people had a desire for community gathering places without the need to commute.

Mr. Langford reviewed 13-5C-6B regarding calculation of open space with the Council. Responding to Council Member Whitelock's comment, Mr. Langford said mixed-use was allowed, but not required, in the proposed development situation.

The Council discussed discretion provided by the proposed amendments. Chair McConnehey suggested minor grammatical changes, and suggested adding a definition of "infill" to limit the codified exceptions. Council Members Whitelock and Green expressed support for adding a definition of infill.

Chair McConnehey suggested the Subcommittee continue working with Staff and the applicant. Mr. Wall suggested the Subcommittee review the Code amendments, the Master Development Agreement, and Preliminary Development Plan before Planning Commission review.

C. Economic Development Priorities

Economic Development Director Chris Pengra presented a report regarding Economic Development Priorities. Paul Coates updated the Council on projects in progress, and answered questions from the Council. Mr. Pengra introduced Weston Blaney, consultant hired to help West Jordan businesses connect with government resources. Mr. Blaney reported on COVID-19 challenges and business support, and spoke of the Eat Local Program. Mr. Pengra expressed appreciation for Mr. Coates and Mr. Blaney.

Mr. Pengra spoke of his vision for future development and economic outcomes for West Jordan. He commented that West Jordan was a lean organization with a lot of responsibility. He said he wanted the Economic Development Department to be small but mighty. Mr. Pengra spoke of business retention and expansion as a priority for his department.

Responding to a question from Council Member Whitelock, Mr. Pengra said he knew there were businesses in the City who would not be in their current position without Mr. Blaney's outreach efforts. Mr. Blaney said he knew of multiple businesses that would have had to close their doors without government grant help.

Mr. Pengra said he wanted the Economic Department to drive visibility, and listed three goals:

- We **MUST** be visible to our business Community
- We **MUST** leverage relationships to extend our reach/visibility (for business recruitment)
- We **MUST** develop a reputation that precedes us and leverage that (for recruitment)

Staff and the Council discussed specific properties currently available, and specific companies that would potentially benefit the community.

D. New Business

The Council reviewed new business items expected to appear on future Council meeting agendas.

a. Proposed Change to the PC Zone

b. TSOD Zone

Community Development Director Scott Langford addressed the proposed change to the PC Zone and the TSOD Zone together. He explained that the proposed changes to the TSOD zone would give Council more flexibility and discretion for smaller infill developments next to transit stations. The proposed PC Zone change is similar in giving the Council a little more discretion and room to negotiate some of the bigger developments. More specifically in regards to the open space, the amount open space and whether or not it's improved or natural. It will also give the ability to reduce the density by 15% in the PRD zones as well using draft language provided by Council Member Green. The proposal is scheduled for Planning Commission recommendation and review on October 20th and hope to bring them back to Council on November 4th.

c. Water Fund Debt Restructuring

Administrative Services Director Danyce Steck reported working with financial advisors regarding a 10 year water bond established for water tanks. She noted that interest rates were good, and the market was clamoring for tax exempt debt. The City could recognize an interest rate savings and extend the bond a couple of years. Recognizing about \$200 in interest savings and bringing the debt down by almost a million per year in debt service.

She would be proposing a parameters resolution during the first meeting in November authorizing the issuance of new debt which would consolidate and extend the debt, relieving the financial pressure for the water fund debt service.

Responding to a question from Council Member Green, Danyce Steck said Special Service Districts would most likely appear on a Council agenda in January or February of 2021.

E. Unfinished Business

The list of unfinished business items from previous meeting agendas was referenced for review.

- a. Jones Ranch** - 592 acres of property located at approximately 8800 S U-111; Master Development Agreement, Master Development Plan, General Plan Land Use and Zoning Map amendments. Public hearing held on September 30th continued to October 28, 2020.
- b. Active Transportation Master Plan** – Work Session discussion and public hearing held during City Council meeting on August 26, 2020 TABLED to November 18, 2020 for further revisions.
- c. PC Form-Based Zone Text Amendments** - Introduced November 19, 2019. Council discussion on March 11, 2020 further refinement needed. As of April 3, 2020 item with Community Development.
- d. Storage of Commercial Vehicles** – Public hearing held during City Council meeting on August 12, 2020 returned to staff for refinement.

- e. **Design Standards for Industrial Zones** – Work Session discussion during City Council meeting on August 12, 2020
- f. **Accessory Dwelling Units** – continued from November 19, 2019 - Discussion was held April 29, 2020 with Planning Commission. Public hearing scheduled for July 29, 2020 - Ordinance No. 20-19 amending City Code for ADUs was cancelled. Planning Commission held public hearing on August 18, 2020.

Chair McConnehey adjourned the work session at 6:57 pm.

I, Cindy Quick, hereby certify that the foregoing minutes represent an overview of what occurred at the work session held on October 14, 2020. This document constitutes the official minutes for the West Jordan City Council Meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this 28th day of October 2020



MINUTES OF THE CITY OF WEST JORDAN CITY COUNCIL MEETING

Wednesday, October 14, 2020 – 7:00 pm
Approved October 28, 2020

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PUBLIC: Randy Smith

1. CALL TO ORDER

Chair McConnehey called the Council meeting to order at 7:00 p.m. He read a Notice of Declaration regarding electronic meetings without an anchor location due to COVID-19, signed on October 8, 2020 and effective for 30 days.

2. PLEDGE OF ALLEGIANCE

Mayor Dirk Burton led the pledge of allegiance.

3. CITIZEN COMMENT

Chair Christopher McConnehey opened the citizen comment period at 7:02 p.m.

Citizen Comments:

Dan Drake, West Jordan resident, said he had noticed that the Council would be discussing proposed rezoning of property neighboring his property, Drake Family Farm. He asked the Council to keep in mind that he intended to farm his land indefinitely, and knew the next generation intended to continue farming the property as well.

Chair Christopher McConnehey closed citizen comment at 7:08 p.m.

SPECIAL RECOGNITION – Appointments to the General Plan Committee

Chair McConnehey explained that the General Plan Committee was a 15-member Council-appointed ad hoc committee responsible for reviewing the General Plan, assisted by Staff, and making recommendations to the Planning Commission and City Council. Chair McConnehey briefly introduced those proposed to serve on the General Plan Committee: Russell Evans, Tyrone Fields, Tiffany Wilhelm, Michael Wilson, Robert Lively, Brandy Wright, Brett Ruoti, Julie Carter, Rachel Zumaya, Patricia Lambdin, Jennifer Petersen, George Sadowski, Max Johnson, Brice Gibson, and Duane Harding. Chair McConnehey expressed appreciation for their willingness to serve.

As Chair of the General Plan Council Committee, Council Member Green said he was excited about the group proposed. The first meeting was scheduled for October 22, 2020. Council Member Whitelock thanked those who applied for their willingness to serve. Council Member Jacob said he believed it would be a great committee, and he looked forward to seeing what they would accomplish.

MOTION: Council Member Green moved to approve Resolution No. 20-70 appointing the applicants recommended by the General Plan Council Committee to serve on the West Jordan General Plan Committee.
Council Member Whitelock seconded the motion.

The vote was recorded as follows:

Council Member Kelvin Green	Yes
Council Member Zach Jacob	Yes
Council Member Chad Lamb	Yes
Council Member David Pack	Yes
Council Member Kayleen Whitelock	Yes
Council Member Melissa Worthen	Yes
Chair Christopher McConnehey	Yes

The motion passed 7-0

4. *REPORTS TO CITY COUNCIL*

i. Council Office Report

Council Office Director Alan Anderson reported that every district in the City would be represented on the West Jordan General Plan Committee. He reported that the 2021 Council calendar would be presented to the Council in November; the Budget and Audit Committee was working on the FY 2020 audit; and the upgrades to Council Chambers to facilitate virtual meeting participation were about 80% complete.

ii. City Council Reports

None

iii. Mayor's Report

Mayor Dirk Burton thanked those who would be serving on the General Plan Committee. He reported on meetings and grand openings attended. The Mayor commented that both the West Jordan Police and Fire Departments were recently honored by the State, and expressed appreciation for both Departments.

iv. Chief Administrative Officer's Report

Chief Administrative Officer Korban Lee reported that the Passport Office had begun service on Saturdays to better meet the needs of the community. Brian Clegg recognized the Parks Department for outstanding work, and reported that the mill and overlay project was nearing completion. Mr. Clegg reported the bidding process for repair of a water tank leak would begin soon.

5. *CONSENT ITEMS*

a. Approve Meeting Minutes

- September 29, 2020 City Council/Planning Commission Joint Work Session
- September 30, 2020 City Council Work Session and Regular Meeting

b. Consider approving a Resolution No. 20-68 an interlocal cooperation agreement between the City of West Jordan and Salt Lake County for the installation of traffic signal detection equipment

**MOTION: Council Member Green moved to approve Consent Items 5a and 5b as listed.
Council Member Worthen seconded the motion.**

The vote was recorded as follows:

Council Member Kelvin Green	Yes
Council Member Zach Jacob	Yes
Council Member Chad Lamb	Yes
Council Member David Pack	Yes
Council Member Kayleen Whitelock	Yes
Council Member Melissa Worthen	Yes
Chair Christopher McConnehey	Yes

The motion passed 7-0

6. PUBLIC HEARINGS

a. Parker Place Proposed Rezone

Community Development Director Scott Langford explained the request to remove a Senior Housing Overlay (SHO) from the subject property. He emphasized that, if the SHO were removed, cap and grade provisions would prohibit development of attached homes on the subject property. Mr. Langford showed a map of the area, and showed a site plan submitted by the applicant.

Gary Cannon, applicant, thanked the Council for their time. He spoke with pride of development projects in West Jordan of which he had been a part. Mr. Cannon emphasized that he had great respect for the Drake Family, and reported that Drake Lane had been asphalted and reopened. He explained that the SHO had not been as conducive to the subject property as originally anticipated, and spoke of infrastructure challenges. He pointed out that property tax revenue from the property would increase significantly after development.

Chair McConnehey opened a public hearing at 7:48 p.m.

Comments:

Jeanette Drake, West Jordan resident, said development of the subject property in the last couple of years had negatively affected their home, their business, and the community they served. She spoke of dust and dirt, cut gas lines and electrical services, and no access to irrigation water. She said she spoke at a meeting in August of 2017 when the development was first presented to the Council and suggested that people purchasing homes in the development needed to understand there would be a working farm next door. Ms. Drake expressed surprise that the Planning Commission had discussed the future of the Drake Family Farm property, and emphasized that they intended to continue farming their property.

Chair McConnehey closed the public hearing at 7:53 p.m.

Gary Cannon said he knew that Drake Family Farms had experienced financial challenges brought on by the road construction. He commented that the water line, gas line, sewer line, and storm drain were all in the road that led to the Farm, and said he had worked in cooperation with the Drakes to the best of his ability to create secondary access for the Farm during construction of the road. Mr. Cannon said he had never stated or implied that the farm property would be sold for development, and said his intention had always been to build and market a development next to an existing working farm. He said he hoped the improved City road and the planned development would improve business for the Drake Family Farm.

Responding to questions from Council Member Whitelock, Mr. Langford said 15 detached units were possible on the subject property with or without the SHO. The SHO included limitations on construction

type (e.g. maximum of two bedrooms and ramp requirements) that the applicant had found challenging. Mr. Langford said he knew purchasers of homes in close proximity to the airport were notified of potential noise, and said there may be a similar tool to notify purchasers of units in the proposed development of the neighboring working farm. City Attorney Rob Wall stated that, with the plat already recorded, The Council could ask the applicant if he would be willing to agree to the notification request. A development agreement could be recorded obligating the applicant to notify potential buyers of the neighboring working farm. Mr. Wall said such an agreement could be a condition of rezone approval.

Mr. Cannon said he viewed the Drake Family Farm as an amenity to the project, and would not be against putting a provision in the CC&Rs noting that purchasers would be residing in an area with a working farm.

Mr. Wall stated a development agreement with condition of notification would need to be recorded at the County Recorder's Office to legally assure that notification would appear on the title reports. The simple development agreement could be required prior to rezone approval. Council Member Whitelock said she believed the notice was important, and she would need the assurance in order to vote in favor of the requested rezone.

Council Member Green said it was apparent on the recorded plat that proposed lot five and other lots did not meet minimum lot width requirements. He said he was on the Planning Commission in 2017 when the proposed development was first presented, and said the current request was contrary to everything the Planning Commission was trying to accomplish. He said he would not have voted in favor of R-3, and was not willing to give on minimum lot widths. Council Member Green said he did not want to set a precedent for removing the SHO, commented that the plat could be changed, and stated it felt to him like a bait-and-switch situation.

Community Development Director Scott Langford said he respectfully disagreed with Council Member Green that the project did not meet lot width requirements. He explained how lot width was measured, and stated the proposal met minimum lot widths for the R-3 Zone.

Council Member Lamb said the proposed plan did not seem significantly different to him from the original proposal and said he would like to see the project move forward.

Responding to a question from Chair McConnehey, Mr. Langford explained some of the SHO construction requirements. Chair McConnehey suggested modifying SHO requirements to allow the applicant flexibility with types of construction rather than removing the SHO. He said the requirement that at least one individual living in the home needed to be at least 55 years old seemed young to him for construction customized for limited-mobility.

MOTION: Council Member Worthen moved to reopen the public hearing.

Chair McConnehey seconded the motion.

The vote was recorded as follows:

Council Member Kelvin Green	No
Council Member Zach Jacob	Yes
Council Member Chad Lamb	Yes
Council Member David Pack	Yes
Council Member Kayleen Whitelock	Yes
Council Member Melissa Worthen	Yes
Chair Christopher McConnehey	Yes

The motion passed 6-1

Chair McConnehey re-opened the public hearing at 8:28 p.m.**Comments:**

Gary Cannon thanked the Council for their input. Mr. Cannon said the project was sold to a builder who committed to the SHO but was not able to perform because of additional costs. He said he bought the project back, spoke of sewer and storm drain surprises, commented that stairs would be necessary because slab on grade was not possible, and emphasized that existing zoning did allow for multi-family, but he had never asked for multi-family.

Dan Drake said he believed the project should have been planned better. He said there had not been a sewer line; residents had septic tanks. Mr. Drake said the irrigation ditch had been in place for a hundred years. He expressed frustration with the prolonged lack of access and the amount of dirt spread to their property for multiple years.

Chair Christopher McConnehey closed the public hearing at 8:35 p.m.

Chair McConnehey said he did not see that vacating the SHO portion of the zoning would remedy challenges and frustrations expressed by Mr. Drake. Council Member Worthen said she would hate to reduce the number of senior housing options available, but she could understand the concerns with the construction limitations.

Council Member Green said he understood the challenge with the stairs, but said he still had a problem with R-3. He said he believed the only reason the Planning Commission originally approved the project was because of the belief at the time that senior housing was necessary. Council Member Green pointed out the possibility that cap and grade could be changed over time and said there was nothing to prevent units in the development from being changed to multi-family if the zoning remained R-3-8. He stated he believed removing the SHO would be a mistake.

Council Member Whitelock said the area was zoned for high density on the Future Land Use Map. She commented that families with children had potential to create far more impact on the area than the original SHO development approved, and said she believed senior housing was still needed.

Council Member Jacob said he shared the concerns expressed regarding R-3 development on the subject property and said he would rather look at it as a PRD. Chair McConnehey said he liked the PRD suggestion.

MOTION: Council Member Green moved to table Ordinance No. 20-37 regarding Parker Place Rezone removing the Senior Housing Overlay to a time uncertain, to allow the developer and Staff to see if another zone, including PRD, was appropriate. Council Member Whitelock seconded the motion.

Council Member Jacob said he would prefer to deny the application.

Council Member Green withdrew the motion to table.

MOTION: Council Member Jacob moved to deny Ordinance No. 20-37 regarding Parker Place Rezone removing the Senior Housing Overlay. Council Member Whitelock seconded the motion.

Council Member Pack thanked the Council for their thoughtful discussion, and said he believed it was clear than the Council would like to see a different option for the property brought back.

The vote was recorded as follows:

Council Member Kelvin Green	Yes
Council Member Zach Jacob	Yes
Council Member Chad Lamb	Yes
Council Member David Pack	Yes
Council Member Kayleen Whitelock	Yes
Council Member Melissa Worthen	Yes
Chair Christopher McConnehey	Yes

The motion passed 7-0

7. BUSINESS ITEMS***a. Performance Measure Report West Jordan Fire Department***

Fire Chief Derek Maxfield reported on community classes and activities sponsored by the Fire Department, including twice-monthly CPR/First Aid/AED classes, a monthly Babysitting Academy, school programs, and Fire Prevention Week. He spoke of future plans, and commended Becky Steeneck for her work. Chief Maxfield commented that fire prevention was closely related to code enforcement, and emphasized that public education was key.

Council Members thanked Chief Maxfield for the community outreach efforts. Chief Maxfield thanked the Council for their support. Council Member Whitelock thanked the Chief for pursuing grant opportunities.

b. Jordan Fields Master Development Agreement and Preliminary Development Plan

Chair McConnehey said he did not believe immediate action on this item was necessary considering the Code amendment that was scheduled for Planning Commission review on October 20th and City Council presentation on November 4th.

MOTION: Chair McConnehey moved to bring back Ordinance No. 20-30 regarding the Master Development Agreement and Preliminary Development Plan for Jordan Fields to the Council as soon as reasonably possible.
Council Member Worthen seconded the motion.
All voted in favor and the motion passed 7-0.

8. REMARKS

Council Member Whitelock –

- Asked for an update regarding Woods Ranch at the next Council meeting.
- Asked for an update regarding planned community form-based zone.

Mayor Burton said the Council could receive an update on Woods Ranch at the next Council meeting. Chair McConnehey asked that the Council receive an update via memo prior to the next meeting, and asked for an informal update from Mr. Langford following Council remarks.

Council Member Worthen –

- Gave a shout-out to West Jordan City Fire Fighters, Police Officers, Council, and Staff. She said she believed West Jordan was a beautiful city, and a great place to live.
- Reported the City did not currently have an Events Committee, but said the City was sponsoring a Halloween House Decorating Contest on the City Facebook page.
- Shared the statement: “If you don’t take time for your health, you will make time for your illness.”

Responding to Council Member Whitelock's request, Scott Langford stated that the Wood Ranch project was the most complex development he had ever worked on. He said Staff had spent significant time on the project, and spoke of annexation issues, design guidelines, a new zoning district, Geotech issues, PID governing documents, and other challenges. He expressed confidence that Wood Ranch would be a phenomenal project.

The Council reviewed a list of scheduled Council meetings.

9. CLOSED SESSION

MOTION: At 9:29 p.m., Council Member Whitelock moved to go into closed session to discuss pending or reasonably imminent litigation, and the character, professional competence, or physical or mental health of an individual as allowed by State law, and adjourn from there. Council Member Worthen seconded the motion.

The vote was recorded as follows:

Council Member Green	Yes
Council Member Jacob	Yes
Council Member Lamb	Yes
Council Member Pack	Yes
Council Member Whitelock	Yes
Council Member Worthen	Yes
Chair McConnehey	Yes

The motion passed 7-0.

The closed meeting began at 9:37 pm

Those present during the closed session included Council Members Kelvin Green, Zach Jacob, Chad Lamb, David Pack, Kayleen Whitelock, Melissa Worthen, and Chair Christopher McConnehey, Council Office Director Alan R. Anderson and City Attorney Rob Wall.

The Council invited Mayor Dirk Burton, and Chief Administrative Officer Korban Lee at 9:43 pm.

The litigation item was withdrawn by Mayor Burton.

City Council Members discussed the character, professional competence, or physical or mental health of an individual as follows:

Personnel #1: 9:37 to 10:36 pm

Personnel #2: 10:36 to 10:44 pm

The closed session adjourned at 10:44 pm.

I, Cindy Quick, hereby certify that the foregoing minutes represent an overview of what occurred at the meeting held on October 14, 2020. This document constitutes the official minutes for the West Jordan City Council Meeting.

Cindy M. Quick, MMC
Council Office Clerk

Approved this 28th day of October 2020