Minutes of the Regular meeting of the Syracuse City Council held on August 14, 2018 at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
               Corinne N. Bolduc
               Dave Maughan
               Doug Peterson
               Mayor Mike Gailey
               City Manager Brody Bovero
               City Recorder Cassie Z. Brown

Excused: Councilmember Jordan Savage

City Employees Present:
               City Attorney Paul Roberts
               Finance Director Steve Marshall
               Community and Economic Development Director Brigham Mellor
               Public Works Director Robert Whiteley
               Police Chief Garret Atkin

1. Meeting Called to Order/Adopt Agenda
   Mayor Gailey called the meeting to order at 6:02 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. Councilmember Peterson provided an invocation and Councilmember Maughan led the audience in the Pledge of Allegiance.

   COUNCILMEMBER MAUGHAN MOVED TO REMOVE ITEM 3A FROM THE AGENDA AND ADOPT THE AGENDA WITH THAT CHANGE. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR. Councilmember Savage was not present when this vote was taken.

2. Public comment.
   James Anderson approached and thanked his wife, Councilmember Anderson, for all she does.

3b. Recognition/Ceremonial items. Syracuse Arts Council.
   An administrative staff memo explained Mayor Gailey and Councilmember Maughan, liaison to the Syracuse Arts Council, have requested that current members of the Syracuse Arts Council Board and past members, who were the driving force for getting the SCAC where it is today, be recognized for their many hours of service to our community. They would like to recognize the following members (past and current):
   - 2009-2012
     o Heather Steed (Chair as well as Design and Publicity),
     o Shannon Elmer (Choir Director)
   - 2010-2012
     o Darren Maxfield (Chair)
   - 2010-2018
     o Judy Merrill (Secretary/Treasurer)
   - 2013-2018
     o James Hansen (Technology Committee Chair)
     o Spencer Rollins (Sponsorships Committee Chair)
     o Melanie Rollins (Chair and Treasurer)
   - 2013-2015
     o Mariah Bailey (Orchestra Committee Chair)
   - 2014-2018
     o Trachelle Hilton (Publicity and Donations/Fundraising Committee Chair)
   - 2014-2017
     o Taleen Ericksen (Theater Committee Chair)
   - 2014-2016
     o Spencer Frew (Donations/Fundraising Committee Chair)
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- 2015-2018
  o Christopher Weaver (Orchestra Committee Chair)
- 2016-2018
  o LeAnna Hamblin (Theater Committee Chair)
  o Tara Bruce (Chair)
- 2017-2018
  o Cindy Hellewell (Grants Committee Chair)
- 2018
  o James Parker (Secretary)
  o Nathan Fawcett (Choir Committee Chair)
  o Libby Fawcett (Treasurer)
  o Brie Corrington (Children’s Theater)

Councilmember Maughan reviewed the staff memo and recognized those members of the Arts Council present this evening. He thanked the City Council for their willingness to recognize the Arts Council for the valuable service they provide to the community.

3c. Recognition/Ceremonial items. Administer the Oath of Office for new Youth Court members.

Councilmember Anderson discussed the value the Youth Court offers to the youth of the community, both those that are members of the Youth Court and the first-time youth offenders who are able to appear before the Youth Judges for their disposition. This helps them avoid the Justice Court process and a charge that would appear on their record. She introduced Youth Court Advisor, Lori Smith, and stated that she has provided the community with a great service by serving as the Advisor for many years.

Ms. Smith then introduced the members and Advisors of the Youth Court present this evening, after which City Recorder Brown administered the Oath of Office to the members and advisors. Ms. Smith then thanked Police Sergeant Lance Call who has offered great support to the Youth Court for the past 20 years. Sergeant Call stated that the Youth Court is the one program he feels has had the greatest impact on the youth of the community through his career.

4. Approval of minutes

The following minutes were reviewed by the City Council: Regular Meeting of June 12, 2018, Special Redevelopment Agency Meeting of June 12, 2018, and Special Municipal Building Authority of June 12, 2018.

COUNCILMEMBER BOLDUC MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA AS PRESENTED. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED AYE.


A staff memo from the Community and Economic Development (CED) Department explained the Mayor would like the advice and consent from the City Council in re-appointing Greg Day as a member of the Planning Commission. Greg's term expired on June 30, 2018. His new term will be until June 2022.

3.10.010 Establishment. There is hereby created a Planning Commission pursuant to Section 10-9-201, Utah Code Annotated 1953, as amended. The Planning Commission shall have and perform such duties as are assigned to it by law and/or ordinance relating to planning and zoning and land use administration. The Planning Commission shall consist of seven members appointed by the Mayor with the advice and consent of the City Council. Two alternate members may be appointed to act as a voting member of the Planning Commission in the absence of any regular voting member. [Ord. 11-07 § 1 (Exh. A); Ord. 06-04 § 1; amended 1996; Code 1971 § 3.02.010.]

3.10.020 Term of office. The term of office for each voting member of such Commission shall be for four years and until his successor is appointed. Appointment may be for a term shorter than four years if necessary to provide for an appropriate staggering of terms. The Mayor may remove any member of the Planning Commission as determined by the discretion of the Mayor and approved by a majority of the City Council. Any member of the Planning Commission so removed shall be entitled to a public hearing before the City Council if requested in writing by the member being removed within five days of a City Council vote. The purpose of the hearing is to allow the member being removed to be heard on the issue of good cause for the removal. [Ord. 11-07 § 1 (Exh. A); Ord. 06-04 § 1; amended 1996; Code 1971 § 3.02.020.]
COUNCILMEMBER BOLDUC MOVED TO ADOPT RESOLUTION R18-24 APPOINTING GREG DAY TO THE SYRACUSE CITY PLANNING COMMISSION WITH HIS TERM EXPIRING JUNE 30, 2022. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.


A staff memo from the Community and Economic Development (CED) Department explained the Mayor would like the advice and consent from the City Council in appointing local architect Kelly Nielson as a member of the Architectural Review Committee also known as the ARC.

10.28.020 Architectural Review Committee (ARC). The ARC is established to review all applicable development plans for compliance with the design standards in this chapter. This committee functions as a subcommittee of the Planning Commission and consists of seven members appointed by the Mayor with the advice and consent of the City Council in accordance with the Syracuse Municipal Code. Members consist of community residents, Planning Commissioners (maximum two), and City staff. The Planning Commission Chair may recommend candidates for the Mayor’s consideration.

The ARC is responsible to review the plan, elevations, architectural details, and development design pattern book and make recommendations to the Planning Commission consistent with this chapter. The Planning Commission will, in turn, submit their recommendations to the City Council.

COUNCILMEMBER BOLDUC MOVED TO ADOPT RESOLUTION R18-25 APPOINTING KELLY NIELSON TO THE SYRACUSE CITY ARCHITECTURAL REVIEW COMMITTEE. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.


An administrative staff memo explained Mayor Gailey has recommended that Duane Cheney be appointed to the Disaster Preparedness Committee to fill a vacant seat. If appointed, Mr. Cheney’s term would expire June 30, 2021.

COUNCILMEMBER BOLDUC MOVED TO ADOPT RESOLUTION R18-26 APPOINTING DUANE CHENEY TO THE DISASTER PREPAREDNESS COMMITTEE WITH HIS TERM EXPIRING JUNE 30, 2021. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.


An administrative staff memo explained funding for the City’s membership in the Utah League of Cities and towns was included in the Fiscal Year 2018-2019 operating budget, which was adopted by the City Council on July 10, 2018. As part of membership in the ULCT, the City has the ability to appoint voting and non-voting members to serve on the Legislative Policy Committee. The Council discussed this opportunity during their July 31, 2018 work session meeting and directed staff to draft a resolution formalizing the appointments decided upon. Proposed Resolution R18-27 has been prepared for Council consideration.

COUNCILMEMBER BOLDUC MOVED TO ADOPT RESOLUTION R18-27 APPOINTING VOTING AND NON-VOTING MEMBERS TO THE UTAH LEAGUE OF CITIES AND TOWNS LEGISLATIVE POLICY COMMITTEE. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

5e. Common consent: Wilcox Meadows Phase 2 final plat.

A staff memo from the Community and Economic Development (CED) Department provided the following information regarding the final plat application:

Location: 2750 West 1175 South
Current Zoning: R-2
General Plan: R-2
Property Area: 7.043 Acres
Number of Lots: 22

The applicant is requesting a final subdivision approval for a subdivision plat called Wilcox Meadows Phase 2. The plat is the second and final phase of Wilcox Meadows. During their regular meeting on August 7, 2018 the Planning
Commission unanimously recommended approval of this item. Because the plat meets all the requirements of the City Code, staff recommends that the plat be approved.

COUNCILMEMBER BOLDUC MOVED TO GRANT FINAL PLAT APPROVAL FOR THE WILCOX MEADOWS PHASE TWO PROJECT, LOCATED AT APPROXIMATELY 2750 WEST 1175 SOUTH. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.


A staff memo from the Administrative Services Director explained that as required by Utah Code Annotated 10-6-118, “before the last June 22 of each fiscal period, or, in the case of a property tax increase under Sections 59-2-919 through 59-2-923, before August 17 of the year for which a property tax increase is proposed, the governing body shall by resolution or ordinance adopt a budget for the ensuing fiscal period for each fund for which a budget is required under this chapter. A copy of the final budget for each fund shall be certified by the budget officer and filed with the state auditor within 30 days after adoption.”

The Council is considering a truth in taxation process to fund the requirement of SB235 passed at the last legislative session. This bill requires our city to pay approximately $55,000 into a homeless shelter fund.

Since the Council is considering increasing the tax rate above the county certified tax rate, it is considered a tax increase under state law and requires a truth in taxation process. The council just completed a truth in taxation public hearing to discuss increasing the tax rate. The Council will now need to decide to accept the proposed tax rate, accept a portion of the rate increase, or reject the rate increase and accept the certified tax rate from the county.

Councilmember Savage is unable to attend the City Council meeting; he provided a written statement communicating his position on the proposed property tax increase. Additionally, State Representative Karianne Lisonbee also asked that a written statement communicating her feelings about the proposed tax rate increase be included for reference.

City Manager Bovero used the aid of a PowerPoint presentation to provide the Council with information about the proposal to maintain the City’s property tax rate, which must be advertised as a property tax increase; the State Legislature adopted State Bill (SB) 235 in 2018 to provide for all cities in the State of Utah to participate in costs associated with concentrated homeless populations. The SB235 mandate will be funded by a portion of sales tax generated in Syracuse City, which will be diverted to cities with homeless shelters or programs, including Salt Lake City, Ogden, South Salt Lake, St. George, and Midvale. He then reviewed revenues by source in the City’s General Fund, noting property taxes make up $2,027,159 of the City’s General Fund. Regardless of changes in property values, the State Law provides for a city’s tax rate to be adjusted each year to result in the amount of property tax revenue to remain the same. If property values increase, tax rates are adjusted downwards to result in the same revenue received by a respective city. If property values decrease, tax rates would be increased to achieve the same revenue. The proposal to maintain the property tax rate allows the City to capture increased revenues associated with inflation and new growth; new growth requires the City to provide additional services, yet the tax rate formula is not intended to offset new growth or inflation.

Mr. Bovero then provided a graph illustrating the breakdown of a resident’s total property tax bill; taxes are based on the average home value in Syracuse of $305,000; the majority of a resident’s tax bill – 60.4 percent – is received by Davis School District, with Syracuse receiving 11.8 percent, or $235.64 per year. Other taxing entities include Davis County, the County Library System, Weber Basin Water, Davis Mosquito Abatement District, and the North Davis Sewer District. The current proposal would provide for a decrease of the current tax rate from 0.001573 to 0.001512; the proposed tax rate would generate an additional $55,000 in tax revenue when compared to the amount received in Fiscal Year (FY) 2018. This equates to a $6.73 per year, or $0.56 per month, increase for the average residence in the City. The additional revenue generated will be used to fund the City’s required contribution to the homeless shelters mitigation restricted account mandated by SB235. With this tax increase, the City will have the second lowest tax rate in Davis County, with just West Point City having a lower tax rate though that city does not provide fire protection services and residents in that city pay a tax to the North Davis Fire District. He concluded his presentation by noting that he will take any questions the Council or residents may have about the current proposal.

Timmy Poulsen asked if the City has considered increasing utility connection fees for people that are moving to the City or developing land in the City as those actions result in growth of the City. Mr. Bovero stated for the purpose of increasing revenue to cover the costs associated with homeless shelter costs in other cities, the Council felt that a tax increase was more appropriate. Philosophically, Syracuse City has decided that fees for services should only cover the cost of providing the service.
Duncan Shelly asked if there are services other cities provide that are not provided in Syracuse that would justify the higher tax rates in other cities. Mr. Bovero stated that some other cities have other services or facilities that they operate, such as Surf ‘N Swim in Layton, for example, and they choose to subsidize those services via property tax revenues.

Mayor Gailey opened the public hearing at 6:42 p.m.

Terry Palmer stated he is impressed with what the Council has done relative to developing a budget for the next FY and considering a property tax increase for the purpose of funding the SB235 mandate; it is obvious that the Council is only interested in increasing property tax revenue sufficient to cover the costs associated with that legislation. He concluded he is proud of what the Mayor and Council have done, and he thanked them for their service.

Brishana Evans stated that the State mandate is not fair, and the City should not be considering a tax increase for the purpose of funding it. She stated the City needs to be more fiscally conservative and decide against “throwing money at a problem” that is not getting any better. She stated that for the State to raise taxes and taking money from cities and smaller towns is not the way to handle the homelessness issues and it is disappointing. She concluded the Legislature needs to figure out why people are homeless and how their situation can be improved, rather than believing that more money will take care of the issue.

Blake Adams stated he recently moved to the City and he heard about this issue. He asked if City Administration has identified homeless people within Syracuse City and if it would be possible to create a shelter in the City that would be available only to homeless people from Syracuse. He stated that he is concerned that residents of Syracuse do not have the opportunity to provide input regarding how the $55,000 can be used to address homelessness issues.

Mayor Gailey then asked City Recorder Brown to read for the record a written statement provided by State Representative KariAnne Lisonbee:

“I appreciate the opportunity to offer a written statement this evening. I had planned on attending the truth-in-taxation meeting, but was called to Washington, DC at the last minute for legislative meetings.

SB235 imposed a diversion of approximately $55,000 of Syracuse's sales tax revenue to the state. There was another bill, HB462 that would have imposed an even greater diversion from cities in its original form.

I fought against the bad policy in both bills.

The state should not tax cities without their consent. There were few cities that consented to this recent action by the state.

The primary reason offered by legislators who supported these onerous policies is that cities are experiencing robust sales tax revenue growth and, therefore, wouldn't feel the hit. I disagree.

Cities like Syracuse spend taxpayer money to strengthen and grow economic development and increase their sales tax base. In my opinion, it is inappropriate for the legislature to grab city’s increased revenue generated from the expenditure of city’s taxpayer dollars.

I believe we live in a caring society and I believe that most citizens are supportive of the responsible expenditure of taxpayer funds to address homelessness. Most tax revenue comes from citizens' pockets, whether collected by cities or the state. In my opinion, because the state instigated the new homelessness initiative and is the policy maker, the state should pay the costs.

While I support the state initiative to rethink homeless shelter management, location, and funding, I don't believe the state should tax cities to pay for it.”

Mayor Gailey closed the public hearing at 6:49 p.m.

Mayor Gailey invited the Council to respond to questions raised during the public hearing.

Councilmember Bolduc stated that in many cases, the location of a homeless shelter is related to the availability of other services needed by that population; this includes access to public transit and County services. According to the State of Utah, Syracuse is not a good location for a homeless shelter.

Councilmember Anderson added that according to SB235, a homeless shelter must provide a minimum of 200 beds to qualify to receive a portion of the funding associated with the mandate.

Councilmember Maughan responded to Mr. Adams question about whether the City has performed an analysis regarding the homeless population in Syracuse; he noted that a homeless individual technically does not have an address, so it would be difficult to classify that individual as a resident of any city. Homeless shelters throughout the State are open to any person regardless of where they previously resided.

Councilmember Anderson stated that she agrees with Ms. Evans’ assessment about the unfairness of the legislation and she provided an explanation of how constituents can get involved in the legislative process and provide their input regarding these issues. City Attorney Roberts added that the legislation also provided for the establishment of a committee with representation from each city in which a homeless shelter is located, but there is no representation from Syracuse City.
Councilmember Maughan agreed that the legislation does not solve the homeless problem in the State, but he emphasized that the City has no choice in the matter of complying with the legislation. He noted that if the Council could vote against dedicating funding, they would, but that is not an option.

Councilmember Anderson stated that Representative Lisonbee is the only Representative from this area that voted in opposition to the legislation. She encouraged residents to reach out to other Representatives to express their feelings. She noted that if the legislation were to be repealed, the Council would reconsider the action to increase taxes. Councilmember Bolduc agreed and indicated she would support an action to reconsider the tax increase if the legislation were repealed. Councilmember Maughan emphasized that it is true that the only voice the residents have in the State legislative process is through their Representatives.

Councilmember Peterson then stated that he appreciates the thorough explanation provided by City Administration and his fellow Councilmembers regarding the purpose of the proposed tax increase; if it were not for the SB235 mandate, the Council would have already approved a budget. He commented on the overall budget process and indicated he feels the City is being very fiscally responsible. Staff and the Council have worked together to create a balanced budget and it is something that all can be proud of.

Mayor Gailey then asked City Recorder Brown to read for the record a written statement provided by Councilmember Savage:

“When it comes to being fiscally responsible I have to ask myself a few things:
1. Do we need this?
2. Can we cut other places to pay for this before raising taxes?

In this scenario, the first was decided by the State Leadership and we were not really given a choice in the matter. So now we are left with how to pay for it. We, as a City Council, try to be as careful as possible with the city funds that come from your hard-earned money. We have worked with department heads to run on as little as possible while still maintaining the level of service that citizens expect. We also have a lot of projects in the city to fix roads, sewers, and both secondary and culinary water systems, maintain parks and resolve issues that arise in a timely manner, so the City infrastructure is well maintained and running smoothly (Don’t worry, we will figure that secondary water thing out). We also have a limited amount of money in the budget reserved so we are not operating on a razors edge to help us against a rainy day. With all of this in play and thanks to the excellent city employees, this city is managed extremely well.

With all of this working well, we were not planning on a tax increase this year, especially in light of the fee increases that were put into effect to pay for price increases in those specific services. So, when the State passed this we were all left wondering how to pay for this sizable fee without stopping current projects or neglecting future maintenance projects, both of which make them more expensive in the future. Ultimately it came down to doing what the state didn’t want to have to take the heat for. In order to maintain a balanced budget, which is paramount to me both personally, and politically, and since I will not mortgage my children’s future, I have to vote in favor of this property tax increase. If the State finds the courage to back out this legislation and manage this as it should be managed, as a state issue, not a Syracuse issue, then I will happily change my vote on this item as well and back out this tax increase.

Thank you to the State Representatives for being here and thank you to all of you for caring and attending this City Council meeting. I am sad I am not here in person but wanted to make sure that my voice was also heard on this issue as well.”

Councilmember Maughan then stated that if the Council were to choose to try to reduce other areas of the budget to provide the $55,000 needed for the SB235 mandate, that could mean cutting things like public safety resources or a road maintenance project. The City cannot afford to make those cuts as those areas of the City are presently ‘behind the curve’ as a result of costs being deferred for several years.

Councilmember Bolduc referenced the graph in Mr. Bovero’s presentation that provided a comparison of tax rates for cities in Davis County and noted that West Point City does not truly have the lowest tax rate; their residents also pay taxes for police coverage from the Davis County Sheriff’s Office.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R18-28, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2019 AND SETTING THE CITY’S TAX RATE AT 0.001512. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR. Councilmember Savage was not present when this vote was taken.
7. Davis County Library Addition site plan – informational discussion.

Representatives of the Davis County Library Board used the aid of a PowerPoint presentation to provide the Council and those visitors present with the most recent version of the site plan for the Syracuse Branch Library expansion project.

Chris Sanford, Davis County Library Board of Directors, thanked the Council, Mayor, and City Administration for their support of the project and their cooperation over the past eight months as the scope of the project has been developed and decided upon.

Trent Smith, AJC Architects, approached the Council and used the aid of a PowerPoint presentation to discuss the scope of the Northwest-Syracuse branch expansion project. He reviewed the public process the Board has followed to solicit public input on the project. A visioning workshop was held with users of the facility, namely children, and those users were asked to describe what the facility should look like. The Board received input regarding the best location for an auditorium, children’s area, and new programming. This input was used to inform the site plan for the project, which he reviewed and identified the location of vital components, such as the circulation area, book stacks, and the auditorium/meeting space. He discussed the many different programs and events that could be accommodated within the auditorium, noting the Board envisions the space being a true community space. He also reviewed renderings of the exterior elevations for the project to highlight the materials to be used and the inclusion of usable outdoor space.

Councilmember Peterson inquired as to how digital learning options are incorporated into the library expansion project. Mr. Smith stated that the project includes infrastructure that will provide for integration of digital and electronic tools in interactive tables in the young adults and children’s section. The meeting rooms of the facility will also include televisions and magnetic glass boards with newer technology and the multi-purpose room will include a large display screen. Councilmember Peterson then inquired as to the timeframe for the completion of the project. Mr. Smith stated the total project should take no more than one year, with two months allocated to the bidding and permitting process and 10 months of actual construction. Councilmember Peterson asked if the library will be closed during the project. Ms. Sanford stated the library will be closed for the duration of the construction due to safety issues; the Board is hoping to offer a kiosk service in a City facility to provide customers the option of continuing to check out and return books. She is also working with the Parks and Recreation Department to examine options for continuing children’s programming while the project is under construction.

Councilmember Bolduc encouraged Ms. Sanford to provide the City with updates regarding the project as well as information regarding continued access to library tools so that information can be communicated to City residents via the City magazine or website. Ms. Sanford stated she will be happy to provide that information and she again thanked the City for supporting the project.

8. Public comments.

There were no public comments.


The Council and Mayor provided announcements about upcoming community events and other opportunities for public involvement. There was a brief discussion among the Council and staff regarding the 2000 West road project and Public Works Director Whiteley reported that the road will be open in advance of the first day of the new school year.

10. Consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the character, professional competence, or physical or mental health of an individual; pending or reasonably imminent litigation; or the purchase, exchange, or lease of real property (if necessary).

COUNCILMEMBER MAUGHAN MADE A MOTION TO CONVENE IN A CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE PURPOSE OF DISCUSSING THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY AND PENDING OR REASONABLY IMMINENT LITIGATION. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR. Councilmember Savage was not present when this vote was taken.

The closed session began at 7:36 p.m.

The meeting reconvened at 8:17 p.m.
At 8:18 p.m. COUNCILMEMBER MAUGHAN MADE A MOTION TO ADJOURN. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR. Councilmember Savage was not present when this vote was taken.

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Mike Gailey                  Cassie Z. Brown, MMC
Mayor                           City Recorder

Date approved: October 9, 2018