

SUMMARY OF ADMINISTRATIVE MEETING
November 18, 2015 – 4:00 p.m.
Room 326, City-County Building

1. Call to order, introductions, opening comments – Mayor Smith called the meeting to order. Commissioners Ellison and Elsaesser were present. Commissioners Haladay and Haque-Hausrath were excused. Staff present was: City Manager Ron Alles; City Attorney Thomas Jodoin; Assistant City Attorney Iryna O’Connor; Human Resources Director James Fehr; Police Chief Troy McGee; Public Works Director Randall Camp; Assistant Public Works Director Phil Hauck; City Engineer Ryan Leland; Engineer David Knoepke; Community Development Director Sharon Haugen; Senior Planner Dustin Ramoie; Community Facilities Director Gery Carpenter; Administrative Services Director Glenn Jorgenson; Parks & Recreation Director Amy Teegarden; Parks Supervisor Craig Marr; Fire Chief Sean Logan; Assistant Fire Chief Kelly Tuck; HCC Coordinator Judy Garrity and City Clerk Debbie Havens.

Others in attendance included: IR Report Al Knauber; HCC Representative Dick Sloan; Realtor Randall Green; Engineer Jeff Larson and Commissioner Elect Ed Noonan.

2. October 28, 2015 Meeting Summary – The October 28, 2015 administrative meeting summary was approved, as amended.

3. Commission comments, questions –

Board Appointments – Mayor Smith recommended the following appointments:

BID/HPC	Appointment of Rex Seeley to an unexpired term on the Business Improvement District/Helena Parking Commission. Term will begin upon appointment and expire October 31, 2016.
Non-Motorized Travel Advisory (NMTAC)	Appointment of Sarah Karjala to an unexpired term on Council NMTAC. Term will begin upon appointment and expire March 31, 2016. Appointment of Cortne Winegard to an unexpired term on NMTAC. Terms will begin upon appointment and expire March 31, 2017.
Public Art Committee	Appointment of Becky Lawson to the Public Art Committee. The unexpired term will begin upon appointment and expire December 31, 2018.

Commissioners Elsaesser and Ellison both noted the appointments look good and they are ready to support them.

Town-Twinning Agreement – Mayor Smith referred the Commission to the agreement and asked them to review it and get back to him in the next week or so. He then spoke of meeting with the Consul of Mexico to discuss putting the mutual interests in an agreement.

Mayor Smith presented a certificate of appreciation to Dick Sloan for representing the HCC at the commission meetings.

Commissioner Ellison congratulated Commissioners Elect Noonan and Farris-Olsen on their election to the city commission.

Commissioner Ellison asked for an update on the Trinity Development being proposed by the Diocese of Helena. Community Development Director Haugen reported a formal annexation and pre-zone application has been submitted. Senior Planner Ramoie reported the application is for pre-zone and annexation of 50-acres, which may be phased in. The property owners are also going through the lease and rent process to build storage units in the county. Mayor Smith stated he would like to discuss this further and suggested this be put on a future joint work session agenda.

Commissioner Elsaesser stated he would encourage the commission to ask City Manager Alles to schedule an executive session to discuss legal strategies. He also asked when the public hearing on the creation of the TIF District will be scheduled and if a formal budget amendment will be required to complete some of the major project.

Commissioner Elsaesser also asked for discussion on items on the November 23rd city commission meeting agenda.

4. City Manager's Report –

HCC Tie Vote Appointments – City Manager Alles reported Election Supervisor Audrey Dufrechou has notified the City there were two HCC Districts with tie votes.

There are three people in HCC District #1 who are interested in being appointed to the two open positions - Becky Berg, Patricia Christian and Sarah Sadowski. Two of the three need to be appointed to fill the vacancies.

To keep the appointments random, Manager Alles recommended that these three names be placed in a "hat" and two are pulled out during the commission meeting on Monday, November 23rd.

There were also ties in HCC District #4; however, there were only two that indicated they were interested in being appointed for the two open positions - Sharon Hubbell and Tom Woodgerd. Therefore, both could be appointed at the November 23rd meeting.

Manager Alles also reported on the following items:

Staff has almost completed the application form for the Residential Energy Efficiency and Renewable Energy Loan Program. Hopefully in December, staff will begin accepting applications.

The City-County Planning Board has scheduled a meeting on December 8th to consider the TIF District; the city commission would consider it on December 14th. Once the formal public hearing has been scheduled, all property owners within the proposed district boundaries will be notified.

The city of Helena was successful in receiving the Big Sky Trust Fund Grant with the assistance of MBAC. The purpose of the grant is for Pioneer Aerostructures for their job education program.

City staff is working with county staff on an inter-local agreement for the city of Helena to manage the operations of the landfill, on behalf of the county. At some time in the future, it will be brought forward for commission action. Manager Alles spoke of the benefits this would bring to the entire solid waste operation, for both the city and county. Unless there is opposition, staff will move forward.

Commissioner Elsaesser asked if there is adequate staff to accomplish the management of the landfill. Manager Alles stated he believes once the details are worked out; there will be adequate staff and capacity to address the entire solid waste operation. Commissioner Elsaesser stated the city needs to be continually mindful that we are not in the position where it is seen as a revenue loss if we do not bury as much solid waste as possible.

5. Department Discussions:

Community Facilities

Lehrkind Property Buy/Sell Discussion – City Manager Alles and Community Facilities Director Carpenter reported the listed price is \$1,308,000.00 for the properties at 1229 and 1209 Ewing Street. The size of all three lots combined is 61,678 square feet and the size of both buildings combined is 24,928 square feet. The north building is 6,000 square feet and the south building is 18,928 square feet, which includes 1,600 square feet of office space and 600 square feet of office storage space. Also included is a 6,492 square foot parking lot on the south side of 18th Avenue.

The buy sell offer is \$1,100,000.00 with the condition of Commission approval on or before December 7, 2015. The buy sell offer also had further conditions for inspections and a phase one environmental assessment.

This acquisition represents 36,750 square feet of undeveloped land and 24,928 square feet of office and warehouse space. At a purchase price of \$1,100,000.00 the 24,928 square feet of office and warehouse space would equate to a cost of approximately \$44 per square foot. At current building costs for just warehouse space, not including any finished office space or undeveloped land, this building would cost in excess of \$70 per square foot

Inspections were completed for electrical and mechanical. Both areas showed minor deferred maintenance with the exception of ten garage doors which may be replaced or removed in the future, replacement of lighting in the warehouse areas, upgrade of the office space and a partition separating the Parks space from the Police space in the warehouse. The roof was inspected and in good shape, replaced approximately five years ago, with a life expectancy of 25-30 years. Structural review was completed by Morrison-Maierle Incorporated. Their summary of the north building showed adequate

structural supporting systems. Their summary of the south warehouse building indicated adequate wall and roof supporting systems with additional support bracing required on the main hinge points of the main beam.

The Phase I Environmental Site Assessment included one recognized environmental condition (REC) which was at the drain line on the east side of the main warehouse building. Soil samples were taken and tested from the drain line area. Sample results proved negative for contaminations.

Eight departments or divisions benefit from this acquisition. Parks Maintenance Division along with the Natural Resources Division will occupy the 6,000 square foot north building, the 2,200 square feet of office space and office storage and 9,400 square feet of warehouse storage in addition the 6,500 square foot parking lot to the south and a portion of the lot to the east of the main warehouse building. The Police Department will move from a 5,500 square foot unheated garage at the Utilities Division to 8,000 square feet of heated storage in the main warehouse building also sharing a portion of the lot to the east of the main warehouse building. Utilities Division will take over occupancy of the 5,500 square foot garage vacated by the police department on the Utilities campus. The Street Division will take over occupancy of four covered storage spaces at the City Shop vacated by the Parks Maintenance Division which will allow for covered storage for their equipment. The Fire Department will take over occupancy of the space in the lower level of the Civic Center ballroom and vacate their current storage at 626 North Last Change Gulch. The Police Department will vacate their space at the same location which will allow that property to be surplus and sold. The Storm Water Division will gain land for a retention pond on the north side of this property. The Parks Maintenance Division vacation of the property at the Civic Center for maintenance, office and parking needs will benefit the Civic Center, Civic Center patrons, the tennis program and Fire Department shift personnel.

Manager Alles referred the commission to the buy-sell contract that was included in the packet. The appraisal from Gregory Thornquist came in at \$1,100,000. Manager Alles noted there will be additional expenses of approximately \$250,000 to remodel the facility.

Director Carpenter gave an overview of all the due-diligence that has been completed on the property. With the appraisal, he too recommended moving forward with the purchase of the building.

Commissioner Elsaesser asked if the deferred maintenance is within the building or is it externally as well. Director Carpenter stated it is more internally, the exterior it mostly undeveloped. Commissioner Elsaesser stated he believes this is an excellent purchase for the city.

Commissioner Ellison stated he did an on-site visit of the building and he too believes this proposal is very good. He noted that both Commissioner Haladay and Haque-Hausrath have indicated their support for this purchase. Commissioner Ellison stated he is ready to move forward with the purchase. Mayor Smith concurred with the previous comments.

Manager Alles then reviewed the funding being recommended which would include Stormwater, Open Space, Water/Wastewater, the sale of the old bus station building and Capital Improvement Fund.

Manager Alles also spoke of the capital improvement reserve fund and his recommendation to spend \$720,000 for the purchase of the building and \$600,000 for the purchase of the two fire engines. These two items would then be removed from the project list and there would still be adequate reserve funds.

Commissioner Elsaesser asked if there will be a formal budget process to purchase the building and fire engines. Manager Alles noted if he needs to bring the budget amendments forward, he will do so at the city commission on December 7th. Manager Alles believes staff has done an excellent job in doing the due-diligence.

Commissioner Elsaesser stated he specifically supports the stormwater utility funding because of the drainage issue onto Centennial Trail.

Mayor Smith asked for public comment, none was received.

Manager Alles asked the commission if they want a second appraisal on the property. He recommended that a second appraisal is not necessary. Mayor Smith and Commissioners Elsaesser and Ellison stated they are comfortable with moving forward with one appraisal and spending the capital reserves on the building and fire engines.

Director Carpenter noted the commission will need to take formal action on accepting the one appraisal and the purchase of the building at the December 7th commission meeting.

Executive Session – Mayor Smith stated he is not feeling the ground swell to hold an executive session to discuss litigation strategies. Manager Alles and City Attorney Jodoin recommended scheduling an executive session to discuss the pending litigation with Montana Independent Living Program. City Attorney Jodoin gave a summary of where the MILP case is currently and concurred an executive session is necessary to discuss litigation strategies. He then asked the commission members to submit specific questions they may have on the water rights case to assure there is a need to discuss this in the executive session. The purpose of an executive session is to discuss litigation strategy on specific cases.

Public Works

West Side Sewer Rebate – City Engineer Leland reported the commission awarded the project in early November in order to get it started before winter. Engineer Leland referred the commission to the spreadsheet showing the owners, address, total acres, square footage, length of frontage, rebate cost/sq.ft. of property, rebate cost/lineal frontage of property and total cost of project/10% contingency included. Engineer Leland recommended the cost be on square footage and not lineal footage.

Engineer Leland also asked the for commission direction on what type of financial package should be offered to the property owners. The commission has discussed possibly offering a 20-year deal, from the time of connection, placed on the water bill.

Commissioner Elsaesser asked if the sewer service will be run on the two streets and the alley. Engineer Leland stated yes, due to the topography in the area and it would be less expensive for the property owners to have service in the alley. Commissioner Elsaesser noted a certain amount of \$300,000, was allocated to help with the addressing shared lines throughout the city. He does not want the city installing mains in every street and alley to avoid additional maintenance in the long run.

Engineer Leland stated the properties are currently on septic systems and with the proposal there will be no shared services. Commissioner Elsaesser asked if these lots are to split in half, would the alley service both properties. This is an example of where the city should allow shared service lines, each instance could be reviewed on a case to cases basis.

City Attorney Jodoin stated if lots are divided with two different lot fronts, subdivision regulations require the extension of services to both lots. The mains need to be installed on the frontage of the properties.

Commissioner Elsaesser stated he is still mulling over the assessment methodology. Commissioner Ellison asked if the residents have given their preference. He noted the residents who have petitioned to annex, are in support of moving forward.

Mayor Smith asked for public comment, none was received.

Engineer Leland noted the seven property owners who are connecting and staff's recommendation is square footage versus lineal footage. He is not aware of any input from other west side residents.

Attorney Jodoin stated the seven residents have petitioned for annexation and one of the conditions was for the property owners to install the infrastructure. Therefore, with the proposal the city install the infrastructure, he believes the square footage assessment is acceptable to the property owners.

Commissioner Elsaesser stated the larger lots would pay a substantial amount more with the square footage assessment. Manager Alles stated staff is looking for guidance and will prepare a resolution to bring forward for formal commission action. Whatever the assessment methodology is, the same amount of money needs to be collected. Staff continues to recommend square footage assessment.

Commissioner Elsaesser asked if it is problematic to bring both options to a commission meeting. Mayor Smith supported the square footage assessment.

Administrative Services Director Jorgenson noted square footage is much easier to assess properties and make amendments when there are changes.

Commissioners Ellison and Elsaesser concurred with the square footage assessment. Commissioner Elsaesser stated he appreciates that staff will consider where the service line is located on a case by case basis.

Engineer Leland asked for commission direction on how long to finance the repayment; the recommendation is for 20-years to be paid back on the water bill.

Commissioner Elsaesser supported the 20-year repayment plan; as did Mayor Smith and Commissioner Ellison. Commissioner Ellison noted Commissioner Haladay has recommended if the property changes ownership, the balance is due at the time of sale, and he would support that.

Mayor Smith asked how this additional work will affect the staff in utility billing. Director Jorgenson noted staff can handle it; they will need to pay attention of the un-paid balance when the property exchanges ownership.

Manager Alles and Attorney Jodoin suggested the city could put a lien on the property, which would show up when a title search is done. There was commission concurrence to place a lien on the property.

Consensus Direction to Manager – Prepare a resolution with square footage assessment, place a lien on the property and having a 20-year repayment plan to be placed on the water bills.

Joslyn/Country Club Road – Manager Alles and City Engineer Leland reported the bids received for the Joslyn/Country Club Intersection Improvements were received and asked for direction on awarding the bid. The intersection in its' current configuration is non-traditional in nature. The roadway surface is deteriorating and the geometrics need modification to accommodate all users. This project was identified in the recently adopted Greater Helena Transportation Plan.

On October 27, 2015 the City of Helena received and opened three bids for the Joslyn/Country Club Intersection redesign going to a 4-Way Stop. Mockel Precast & Excavating was the lowest responsible bidder submitting a bid in the amount of \$215,211.27 for the base bid and 2 additive alternates. The base bid is the general reconstruction of the intersection to a 4-Way Stop (\$166,491.83), Additive Alternate 1 is the ADA ramps at all the corners (\$23,246.94), and Additive Alternate 2 is intersection lighting (\$25,472.50).

The project is funded through Gas Tax in the amount of \$150,000. The commission previously approved a \$31,370 engineering contract with DOWL Engineering, leaving \$118,630 of gas tax for construction cost. Staff is asking if the commission wants to award the contract and if so where additional funds will be moved from for the project. If the commission wishes to award the base bid, a budget amendment for \$73,000 will be needed; for base bid plus additive alternate 1, a budget amendment of \$100,000 will be needed; and for base bid plus additive alternate 1 and 2, a budget amendment of \$129,000 will be needed. As a note, all the amounts for the budget amendment include 10% contingency and 5% testing. The total cost of the reconstruction of the intersection with engineering is approximately \$223,000 to \$279,000 depending on which additives are added.

Engineer Leland showed the engineer design of the intersection with the four stop signs and the proposed alternatives. Since the path is not going through the intersection, the ADA ramps would not be required at this time, nor would the proposed lighting.

Commissioner Elsaesser stated he was pleased to see the design would offer safety benefits but provided a higher level of service for the next 20 years. He would support moving forward with the improvements to the intersection. He would like to do the base bid and asked if the ADA ramps could be paid for by the street utility fund.

Commissioner Ellison stated he would support moving forward with the base project; however, with the shortage of funding he would hold off on the two alternatives. If there were other funding sources, he would like to pursue it.

Commissioner Ellison noted Commissioner Haladay had referenced Memorial Drive not being done and having savings from that project. Assistant Public Works Director Hauck noted the savings from Memorial Drive have already been reallocated to this intersection and other projects.

Manager Alles noted there is \$350,000 of un-allocated gas tax funds, which could be used to complete this project.

Engineer Leland stated the city, county and Fort Harrison is looking at how to improve the entire traffic flow in the area; however, it is five to ten years out.

Mayor Smith stated he would support moving forward with the base bid and the two alternatives. Commissioners Ellison and Elsaesser concurred. Commissioner Elsaesser spoke on paying for the lighting alternative from the street maintenance utility fund.

Engineer Leland noted the gas tax or the street maintenance utility fund could be used toward this project. He noted until there are connecting sidewalks, the ADA ramps would not connect to anything. Sidewalks could always be ordered in.

There was commission concurrence to hold off on the ADA ramps and lighting. Commissioner Elsaesser stated by not including the alternatives, we are not stopping them from being installed at a later date. Engineer Leland concurred.

Commissioner Haladay and Haque-Hausrath noted in their email messages, they do not support moving forward at this time.

Consensus Direction to Manager – Move forward with the base project.

Joslyn Street Path Bid Award Update – City Engineer Leland noted staff is present to discuss the Centennial Trail West project and ask for direction on the bid award. Centennial Trail will be an east/west trail across Helena, ultimately connecting Spring Meadow Lake to East Helena. The proposed trail will be located mainly on railroad right-of-way (ROW) or on City right-of-way. This phase of the proposed trail will begin at the Centennial Trail and Railroad ROW intersection just east of Joslyn Street. It will continue along the abandoned railroad spur through an easement acquired from the current property owner. The trail will then cross Country Club Avenue and continue to Montana Wild/Spring Meadow Park.

Bids were opened on October 27, 2015 with the lowest responsible bidder being JAG Grading & Paving of Missoula. JAG submitted a bid of \$364,000 for the base bid and 4 additive alternate. The base bid is the path between Joslyn Street and Spring Meadow Lake (\$218,689.50), Alternate 1 is the path from Spring Meadow to Montana Wild (\$41,962.50), Alternate 2 is the path from Joslyn east to the railroad right-of-way (\$39,374), Alternate 3 is lighting along the path (\$29,000), and Alternate 4 is a split rail fence along the trail (\$34,974).

The project will be funded by CTEP funds from both the City of Helena and Lewis & Clark County. The total identified funding for the project is \$453,944, \$393,025 from CTEP and \$60,919 from the City for the required match. The Commission previously signed a \$99,195 engineering contract with DOWL, leaving \$354,749 of CTEP and match for construction of the path.

Staff's recommendation, based on the current budget, is to award the base bid plus additive alternates 1 and 2. As the project progresses and the costs have been realized, staff will be looking at possible change orders in order to use 100% of the available CTEP funding. If the Commission wishes to award all the additive alternates an additional \$64,000 will have to be identified. This amount includes 15% for contingency and testing. Alternates 3 and 4 could be installed at a later date.

Staff is meeting with county staff on November 19th to see if there is additional county funding. Commissioner Elsaesser asked if the matching funds factor in the donation of the right of way. Engineer Leland stated it does not; the requirement is the identification of the donation prior to the CTEP funding being authorized. These are hard dollars having to be paid for the construction.

Commissioner Elsaesser referenced the 15% contingency funding and asked if all of it is not needed, will it be lost. Engineer Leland noted staff has identified additional projects if there is funding left over and will submit a change order for the work.

Additional discussion was held on the expenditure of CTEP funding prior to using other sources of funding.

Manager Alles noted city staff is working with the county and holding firm on a maintenance agreement for the trail. He appreciates the donation of CTEP funding; however, maintenance is an ongoing expense.

Commissioner Elsaesser stated there may be options for other partners to assist with maintenance.

Consensus Direction to Manager – Move forward with staff's recommendation to include base bid and the four alternatives.

West Main Project – Manager Alles introduced Jeff Larson, consultant for the project. If there is interest in changing the plans, then it should be discussed at this meeting. Engineer Leland handed out copies of the public comments.

Engineer Larson reviewed the public comments received on the project. There were 44 people who attended the public meeting that expressed support for the project. Some of the items of concern included the loss of on-street parking, having a safe route for non-motorized traffic; installing sidewalks on one side and not both sides of the street; turn around for the tour train and vehicles. Engineer Leland noted 206 letters were sent to residents in the area asking for public comment.

Mayor Smith stated the fundamental question is to require sidewalks on both sides of the street and whether to have room for on-street parking. If sidewalks are only on one side, on-street parking would be available. Engineer Leland explained the process to extend the pavement to allow on-street parking. The city also needs to be aware of the ADA requirements for the on-street parking. The design would look different than what was originally proposed.

Commissioner Elsaesser stated the cost is double of what was originally expected. Assistant Public Works Director Hauck explained the project is budgeted with four different funds. The largest cost and biggest concern is the stormwater fund; the other costs can be handled in the current budgets. Again, the costs could be covered by delaying another project. These are estimated costs based on a design that has not been approved. The area needs all of the infrastructure improvements.

Commissioner Elsaesser asked what will happen if there is no room to turn around, i.e. tour train. Engineer Leland showed the map of the current turn-around and recommended not having a large area for a turn-around as it is a safety hazard. The tour train should find an alternative turn around area.

Commissioner Elsaesser concurred there is a safety issue with having the highway coming into town and asked if a traffic circle would be an option for the area. Engineer Leland stated the speed limit is 35 mph; staff would have to look at a round-about which would increase the cost of by approximately \$300,000.

Commissioner Elsaesser commented with the costs overrun, other alternatives should be explored. Engineer Larson stated he did look at a lot of options for the project; however, all options still have to meet FEMA requirements for stormwater. This area doesn't produce run-off, the run-off is from the areas above it. Engineer Larson noted there are right-of-way issues and not a lot of room for the improvements. To design other options would be very difficult to accomplish.

Commissioner Elsaesser commented there are no upstream options to deal with the stormwater runoff and the city has to take the water runoff. Engineer Larson concurred.

Mayor Smith stated he supports sidewalks on one side of the street, the topography demands it and it sounds like what the residents want. Engineer Leland noted staff proposed a stormwater pond on the right of way; however, since the pond is not going to be built, the area could be used for a parking lot. If there is interest in pursuing the parking lot, it will require a conditional use permit and would delay moving forward with the project. Staff does not recommend pursuing the parking lot option.

Commissioner Elsaesser noted widening the street would be as expensive as installing the boulevard sidewalk. There were only four comments received on eliminating sidewalks on one side. In addition, the city would be deviating from the complete streets policy.

Engineer Larson noted there would not be significant savings either way. Commissioner Elsaesser stated he would support exploring the parking lot option and not eliminate the sidewalks on both sides of the street.

Commissioner Ellison stated he supports installing curb sidewalk on one side and waive the complete street policy to allow parking on one side.

Manager Alles asked what needs to be done to move forward if the sidewalk is eliminated on one side, would the plans have to be redesigned and resubmitted to FEMA for approval. Engineer Leland stated the plans would have to resubmitted for FEMA approval. However, it should not take as long as the original review.

Commissioner Elsaesser stated if the area needs to be resurveyed and submitted to FEMA; he would like to see more evaluation done on the parking lot proposal.

Consensus Direction to Manager – Holding pattern on the project.

6. Committee discussions

- a) Audit Committee, City-County Board of Health, Civic Center Board, L&C County Mental Health Advisory Committee, Montana League of Cities & Towns – No report given.

- b) Audit Committee, Board of Adjustment, Helena Chamber of Commerce Liaison, Information Technology Committee, Transportation Coordinating Committee — No report given.
- c) Non-Motorized Travel Advisory Board, Transportation Coordinating Committee – No report given.
- d) ADA Compliance Committee, Business Improvement District/Helena Parking Commission, City-County Parks Board, Montana Business Assistance Connection – No report given.
- e) Audit Committee, City-County Administration Building (CCAB), Public Art Committee – No report given.
- f) Helena Citizens Council – Dick Sloan reported several HCC members have attended the first three listening sessions of the school district and intends to continue to attend the next three sessions.

7. Review of agenda for November 23, 2015 City Commission meeting – Commissioner Elsaesser referenced the transfer station rate resolution and asked for any update on the component of having a separate rate structure for construction and debris material. He also asked for an update on the household hazardous waste program.

Assistant Public Works Director Hauck stated neither of those two items has changed from the original resolution. Staff will continue to look at the scope of service for the construction and debris material. At this time, the program is not up and running. The preliminary engineering report is being prepared.

Commissioner Elsaesser noted the TCC has not made a decision on the urban funds; however, a special meeting is scheduled for December 2nd.

8. Public Comment – No public comment received.

9. Commission discussion and direction to the City Manager – No discussion held.

10. Adjourn – Meeting adjourned at 6:00 p.m.