



Meeting Minutes - Final
City Council

Monday, May 16, 2016

7:00 PM

Council Chambers

Rollcall

Present: 8 - Mayor Max Bacon, Councilmember Derek Norton, Councilmember Andrea Blustein, Councilmember Teri Anulewicz, Councilmember Charles Welch, Councilmember Susan Wilkinson, Councilmember Doug Stoner and Councilmember Ron Fennel

Also Present: 10 - Scott Cochran, Mike L Jones, Terri Graham, Tammi Saddler Jones, Kristin Robinson, Jered Sigmon, Ken Suddreth, David Lee, Dat Luu and Heather Corn

Call to Order

Mayor Max Bacon called the meeting of the Mayor and Council to order at 7:00PM.

1. Invocation and Pledge:

Rev. Brian Sheridan of St. Thomas The Apostle located at 4300 King Springs, Smyrna GA gave the invocation and led all in the Pledge of Allegiance.

2. Agenda Changes:

There were no agenda changes

3. Mayoral Report:

A. Proclamation in Recognition of the 50th Anniversary of Saint Thomas The Apostle Church

Sponsors: Anulewicz

Mayor Pro Tem/Councilmember Teri Anulewicz read aloud a proclamation in recognition of the 50th anniversary of Saint Thomas The Apostle and presented the proclamation to Rev. Brian Sheridan.

B. Proclamation in Recognition of Memorial Day Poppy Weekend (May 28-30, 2016)

Sponsors: Welch

Councilmember Charles (Corkey) Welch read aloud the proclamation in recognition of Memorial Day Poppy Weekend and presented the proclamation to the ladies of the American Legion where they provided poppies and donations were taken.

4. Land Issues/Zonings/Annexations:

There were no Land Issues, Zonings or Annexations

5. Privilege Licenses:

A. Public Hearing - Privilege License Request 2016-188 - Beer, Wine Package - 2800 Spring Road Suite E with Petya Dontchev as agent.

Sponsors: Norton

City Administrator Mike Jones read the following background:

This was a new application for privilege licenses for Malincho Inc. dba Malincho European Market Deli & Café for the sale of beer and wine (retail package). Malincho Inc. dba Malincho European Market Deli & Café is the owner and Petya Dontchev is the agent applicant, responsible for the sale of alcohol at the referenced location. Ms. Dontchev has been given a copy of the Alcoholic Beverage Ordinance and attended the mandatory alcohol awareness workshop. (Certificate attached) A background investigation conducted by the Smyrna Police Department failed to reveal information that would preclude issuance of this license. Petya Dontchev has agreed to abide by the guidelines set forth by the City of Smyrna ordinance governing the sale of alcohol. Approval of privilege licenses for the sale of beer and wine (retail package) for Malincho Inc. dba Malincho European Market Deli & Café with Petya Dontchev as the registered agent.

Councilmember Norton asked Ms. Dontchev if she understood the requirements as an agent and agreed to adhere to the City's ordinance and she stated she did understand and agreed to abide to the Ordinance.

She explained a little about the business and gave examples of the types of food they provided.

The public hearing was called and no one came forward to speak for or in opposition to this request.

A motion was made by Councilmember Derek Norton to approve 2016-188 for a privilege license request for Beer and Wine Package located at 2800 Spring Road Suite E with Petya Dontchev as agent, seconded by Mayor Pro Tem/ Councilmember Teri Anulewicz. The motion carried by the following vote

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

6. Formal Business:

A. Approval of the FY 2017 Budget.

Sponsors: Fennel

Listed are some of the more prominent items contained within the FY 2017 Budget:

The proposed budget for FY 2017 has been balanced for each individual fund with transfers to or from cash reserves. The transfer amounts are shown on the schedule titled "BudgetSummary by Fund" found on page 10.

The General Fund is balanced without a transfer to/from cash reserves. The contingency budget is recommended at \$657K for FY 2017. This includes approximately \$270K for an employee merit increase for Mayor & Council

consideration in January 2017. The contingency is a decrease from the \$1.15M budgeted in FY 2016, but the larger contingency also included \$435K for a one-time salary table adjustment and cost of living adjustment.

- The E-911 Fund includes a transfer of \$208K from the General Fund. This transfer, along with the state-mandated E-911 fees collected from phone companies, provides sufficient revenues to cover operating expenditures.
- The Hotel/Motel Fund will transfer \$525K to the General Fund and \$42K to reserves. The Auto Rental Tax Fund includes anticipated revenues of \$125K which are transferred for use to the Hotel/Motel Fund.
- The other Special Revenue Funds including CDBG, Confiscated Assets, Donations & Special Fees, and Multiple Grant Fund are budgeted based on available cash.
- The Capital Project Fund will be funded by a transfer from the General Fund. The General Fund will transfer \$1.12M to fund 21 projects in FY 2017.
- The Water/Sewer Fund is balanced with a transfer of \$865K from cash reserves. Consistent with prior years, it includes a \$1,591,127 transfer to the General Fund.

REVENUE PROJECTIONS

- General Fund revenues are projected to be up \$2.3M over the prior year. This increase is mainly driven by the Cobb County Tax Assessors re-valuation of residential property.

Although the city's millage rate will remain level at 8.99 mills, the net tax digest will rise by 7% due to higher valuations and new development. In most cases, residents with the Smyrna Floating Homestead Exemption will not see an increase.

- Municipal Court revenues decreased 35% from FY 2014 to FY 2015. Collections in FY 2016 have continued this downward trend. In addition, the state has eliminated the ability of local governments to charge a fine for failure to appear in court. As a result, this budget projects total Court revenues of 1,059,000 (a 19% decrease from the \$1.3M budgeted in FY 2016).

- Revenues in the Hotel/Motel Fund are projected to increase 19% for FY 2017. These revenues are based on an agreement with the Cobb-Marietta Coliseum and Exhibit Hall

Authority to impose a tax on each room night occupied in Smyrna hotels and motels and to return a portion to the municipality. The rate is set by City ordinance, and increased

revenues are expected due to continuing growth in the tourism and hospitality industry.

Other special revenue fund revenues have been based on available cash and anticipated reimbursement from outside sources.

- Revenues from E-911 fees are projected to remain consistent with the prior year. However, overall revenues for the E-911 Fund will be up 3.2% as the transfer-in from the General Fund has been increased to \$208K (up from \$179K in FY16 revised budget).

- The Water/Sewer Fund is projected to have a \$514K increase (2.9%) in revenues. This takes into account the automatic pass-through of the Cobb-Marietta Water Authority's 4% annual increase, which is scheduled through 2018.

EXPENDITURES

- General Fund expenditures have been increased by 5.5% in the FY 2017 budget. The largest portion of this increase is related to increases in group insurance. Other significant budgeted expenditures include new personnel requests, a larger transfer to the Vehicle Replacement Fund, new infrastructure costs, and higher water/sewer charges. See the "Other Highlights" section of this memo for other planned expenditures.

- Water/Sewer Fund expenditures have been increased by 7.5% in the FY 2017 budget. Increases are due primarily to higher group insurance costs, a larger transfer

to the
Water/Sewer Capital Projects Fund, and higher water/sewer wholesale costs.

PERSONNEL

□ In FY 2017, the full-time employee salary line items for Public Safety, Sanitation, and Water Distribution have been budgeted at 97% to account for turnover in these departments.

Highways & Streets is budgeted at 98%. Current year actuals are in line with these budget projections.

□ New personnel requests totaling \$1.4M in annual cost were received from the departments. These included 26 new full-time positions and one part-time position. During the budget process, 17 full-time positions and one part-time position were cut. The remaining nine positions were funded at three quarters of a fiscal year for a total budgeted impact of \$406K.

□ Additionally, five reclassification requests are being recommended. A new Parks Maintenance division will be supported in part by two reclassified positions: the Streets

Foreman will become the Parks Supervisor, and a Crew Leader will become the Parks Foreman. Police Administration will reclassify one Police Officer to Police Sergeant. An

unfilled Police Officer position will be reclassified to a Central Records Assistant. All Police Captain positions will be changed to Police Major.

CAPITAL PROJECTS

□ The Capital Project Fund is funded by a transfer-in from the General Fund. Of the \$1.4M in requests submitted for funding in FY 2017, the CIP Committee is recommending approval of 21 capital projects totaling \$1.12M.

□ The Water/Sewer Capital Projects Fund includes \$6.74M for infrastructure projects. It will be funded by a transfer-in from the Water/Sewer Fund and use of reserves.

□ The Storm Water Fund includes \$910K for infrastructure projects. The revenue for this fund is a storm water fee based on impervious surface. Revenues are projected at \$936K, so this fund is expected to contribute \$26K to cash reserves.

□ The Vehicle Replacement fund includes expenditures of \$949K. These capital expenditures are funded by transfers-in from the General Fund and Water/Sewer Fund.

OTHER HIGHLIGHTS

□ A new Parks Maintenance division is proposed to be organized under the supervision of the Director of Parks & Recreation. This will involve the reassignment of six full-time positions and one part-time position from the Highways & Streets division. The addition of two new positions has also been recommended. The organizational structure will include a supervisor, foreman, two crew leaders, and four crew workers. A part-time crew worker will allow flexibility for weekend staffing.

□ Every ten years, the City is required to complete a full update of its 20-Year Comprehensive Plan. Mayor & Council must adopt the updated plan by August 2016, and it will be submitted to the Atlanta Regional Commission for review. This \$125K expenditure has been budgeted under the Community Development department.

□ Two studies have been budgeted to help understand and address the impacts of the new Atlanta Braves development adjacent to City limits. \$25K has been budgeted in the CIP to fund the 20% portion of an 80/20 Livable Centers Initiative grant from the Atlanta Regional Commission. The funds will pay for an analysis of the land use, transportation, and urban design issues along the Spring Road corridor. Additionally, this budget proposes a \$70K expenditure under the Community Development department for a market study/analysis of the Braves halo effect. The study will be conducted by Georgia Tech and will help determine what type of development the area might attract and/or feasibly support. This study will inform the department's

plans for an overlay district to be established in FY 2017.

□ \$50K has again been budgeted in the Hotel/Motel Fund to accommodate a management transition at the Smyrna Museum. The city-owned property has been staffed by volunteers from the Smyrna Historical & Genealogical Society since the museums opening in 1999. The pending retirement of key volunteers necessitates this planned expenditure.

□ In FY 2016, the City entered into an agreement with Zagster to provide 20 bicycles and install four stations as part of a new bike share program. After a successful first year, the City is committing to a fifth station in FY 2017. The annual maintenance contract for five stations will be approximately \$31K.

□ In March 2015, the Mayor & Council voted to acquire the historic Reed House at 3080 Atlanta Road. A combination of CDBG and 2016 SPLOST funds will allow the city to renovate the structure and make it accessible for public use beginning spring 2017. The budget contains the expected \$1.2M in renovation funding.

The Public Hearing was called and two individuals came forward to speak. They both made statements and had specific questions about the budget and were referred to Wednesdays second public hearing which was more of an informal presentation and question and answer period.

The FY2017 Budget was presented by Jered Sigmon and Kristin Robinson. The public hearing was announced and 2 citizens came forward to make comments and suggestions. The public hearing was concluded with an announcement that there will be another opportunity for the public to ask questions about the budget on Wednesday May 18, 2016 at 12:00 PM in Council Chambers. The final public hearing will be held on June 6, 2016 during the regular Council Meeting. The budget information is located on the cities website www.smyrnacity.com, hard copy budget books are located and accessible at the library and the City Clerk's office.

B.

Approval of Re-appointment to the Cobb County-Marietta Water Authority (CCMWA) - Mayor A. Max Bacon to serve four-year term to expire August 2020

Sponsors: Fennel

Mr Jones, City Administrator stated this item was for the approval of Re-appointment to the Cobb County-Marietta Water Authority (CCMWA) - Mayor A. Max Bacon to serve four-year term to expire August 2020. The City of Smyrna has an appointment to the CCMWA to be selected by the governing authority of the City of Smyrna. The member of the authority appointed by Smyrna shall serve for terms of four years and until their successors are appointed and shall assume office on August 15 following the expiration of the prior members' term. Mayor A. Max Bacon is the current appointee from the City of Smyrna, and his term expires on August 14, 2016. Mayor Bacon is requesting to be re-appointed to the CCMWA.

A motion was made by Councilmember Ron Fennel to approve 2016-210 to re-appointment to the Cobb County-Marietta Water Authority (CCMWA) - Mayor A. Max Bacon to serve four-year term to expire August 2020, seconded by Charles (Corkey) Welch. The motion carried with the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

C.

Approval of appointment to the DDA (Downtown Development Authority) - Travis Lindley to serve a term to expire April 2017.

Sponsors: Norton

A motion was made by Councilmember Derek Norton to approve 2016-209 the appointment of Travis Lindley to the DDA (Downtown Development Authority) to serve a term to expire April 2017, seconded by Councilmember Doug Stoner. The motion carried by the following vote:

Aye: 6 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Stoner and Councilmember Fennel

Nay: 1 - Councilmember Wilkinson

D. Approval of Ward 3 Appointment to the Planning and Zoning Board, Emily Hein Warren, to fulfill term to expire December 2017.

Sponsors: Anulewicz

A motion was made by Mayor Pro Tem/Councilmember Teri Anulewicz to approve 2016-207 the Ward 3 Appointment to the Planning and Zoning Board, Emily Hein Warren, to fulfill term to expire December 2017, seconded by Councilmember Andrea Blustein. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

E. Approve the re-appointments of the Smyrna Hospital Authority Members as follows: Ron Gooden (Ward 2), Joan Stuart (Ward 3), Linda Smith (Ward 4), Bonnie Berry (Ward 5), and Karen Avison (Ward 6). This is a four-year term to expire May 2020.

Sponsors: Blustein, Anulewicz, Welch, Stoner and Wilkinson

A motion was made by Councilmember Doug Stoner to approve 2016-21 for the re-appointments of the Smyrna Hospital Authority Members as follows: Ron Gooden (Ward 2), Joan Stuart (Ward 3), Linda Smith (Ward 4), Bonnie Berry (Ward 5), and Karen Avison (Ward 6). This is a four-year term to expire May 2020, seconded by Mayor Pro Tem/Councilmember Teri Anulewicz. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

F. Approval of Ward 1 appointment to the Smyrna Hospital Authority, Kelly Becker, for term to expire May 2020.

Sponsors: Norton

A motion was made by Councilmember Derek Norton to approve 2016-202 for the Ward 1 appointment to the Smyrna Hospital Authority, Kelly Becker, for term to expire May 2020, seconded by Charles (Corkey) Welch. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

- G.** Approval of Ward 7 appointment to the Smyrna Hospital Authority, Jerry Tillery, for term to expire May 2020.

Sponsors: Fennel

A motion was made by Councilmember Ron Fennel to approve 2016-208 for the Ward 7 appointment to the Smyrna Hospital Authority, Jerry Tillery, for term to expire May 2020, seconded by Councilmember Doug Stoner. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

- H.** Authorization to enter into an Intergovernmental Agreement Between the City of Powder Springs, Georgia and the City of Smyrna, Georgia for the Housing of Prison Inmates and have the Mayor sign and execute all documents

Sponsors: Norton

City Administrator Mike Jones gave the following background for this item: This item is for the authorization to enter into an Intergovernmental Agreement Between the City of Powder Springs, Georgia and the City of Smyrna, Georgia for the Housing of Prison Inmates and have the Mayor sign and execute all documents. The City of Smyrna will receive \$45 per 24 hour period for each Powder Springs, Georgia inmate housed and The City of Powder Springs, Georgia has requested that the City of Smyrna, Georgia begin housing Powder Springs prison inmates and bonding Powder Springs inmates on June 29, 2016 and continuing until June 30, 2021 unless the agreement is terminated by means stated in the Intergovernmental Agreement. The City of Powder Springs, Georgia has agreed to pay the City of Smyrna, Georgia the sum of \$45.00 per 24 hour period a Powder Springs prisoner is housed at the City of Smyrna jail. Said amount includes the bonding of Powder Springs prisoners by employees of the Smyrna Jail by procedures that are mutually agreeable to both parties.

The City of Powder Springs, Georgia currently contracts with the Cobb County, Georgia Sheriff's Office to house and bond Powder Springs prisoners. Upon the request of Powder Springs, Georgia to contract with the City of Smyrna, Georgia for prisoner housing and bonding, an Intergovernmental Agreement was drafted which delineated the performance of such functions as well as the per diem rate for housing and bonding. Powder Springs, Georgia has requested that prisoner housing and bonding by the City of Smyrna, Georgia commence on June 29, 2016.

The Chief of Police and staff recommend this authorization

Mayor Bacon made a point to explain that these were traffic violation offenders and not violent offense felony prisoners.

A motion was made by Councilmember Derek Norton to approve 2016-193 to enter into an Intergovernmental Agreement Between the City of Powder Springs, Georgia and the City of Smyrna, Georgia for the Housing of Prison Inmates and have the Mayor sign and execute all documents, seconded by Councilmember Ron Fennel. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

- I.** Authorization to enter into an Intergovernmental Agreement Between the City of Powder Springs, Georgia and the City of Smyrna, Georgia

for the Purpose of Data Entry Into the Georgia Criminal Justice Information System (CJIS) and have the Mayor sign and execute all documents.

Sponsors: Norton

Mr. Jones read the following background for this item:

This item was for the authorization to enter into an Intergovernmental Agreement Between the City of Powder Springs, Georgia and the City of Smyrna, Georgia for the Purpose of Data Entry Into the Georgia Criminal Justice Information System (CJIS) and have the Mayor sign and execute all documents. The City of Smyrna will receive \$45,000 per year for the first 2 years and \$50,000 per year thereafter for GCIC.

The City of Powder Springs, Georgia has requested that the City of Smyrna begin the data entry functions that occur within the Georgia Criminal Justice Information System (CJIS) on behalf of the City of Powder Springs, Georgia. Said data entry functions to begin on June 29, 2016 and continue until June 30, 2021 unless the agreement is terminated by means stated in the Intergovernmental Agreement. The City of Powder Springs, Georgia has agreed to pay the City of Smyrna, Georgia the sum of \$45,000.00 per year for the first two years of the agreement and \$50,000 per year thereafter.

The City of Powder Springs, Georgia currently contracts with the Cobb County Sheriff's Office to perform CJIS data entry functions on behalf of their entity. Upon the request of the City of Powder Springs to contract with the City of Smyrna, Georgia to perform these data entry functions, an Intergovernmental Agreement was drafted which delineated the performance of such functions as well as the consideration for the life of the agreement. Powder Springs, Georgia has requested that their CJIS data entry functions be relocated from the Cobb County, Georgia Sheriff's Office to the City of Smyrna, Georgia E-911 Center beginning June 29, 2016.

The Chief of Police and staff recommend this authorization

A motion was made by Councilmember Derek Norton to approve 2016-192 to enter into an Intergovernmental Agreement Between the City of Powder Springs, Georgia and the City of Smyrna, Georgia for the Purpose of Data Entry Into the Georgia Criminal Justice Information System (CJIS) and have the Mayor sign and execute all documents, seconded by Councilmember Ron Fennel. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

J. Approval for a Name Change Request 2016-191 - from Cumberland Glen Apartments to 23Thirty Cobb Apartments at 2330 Cobb Parkway SE submitted by Mboti R Ngongi.

Sponsors: Norton

This item is for the approval for a Name Change Request 2016-191 from Cumberland Glen Apartments to 23Thirty Cobb Apartments at 2330 Cobb Parkway SE submitted by Mboti R Ngongi. The previous owner/agent was IRT Cumberland Glen Apts Georgia, LLC dba Cumberland Glen Apartments.

Cumberland Glen Apartments was recently purchased by FPA/WC Cumberland LLC dba 23Thirty Cobb Apartments.

The proper Name Change Application has been reviewed and approved by the Fire Marshal, Building Inspector, City Engineer, Housing Authority as well as reported to the Business License Officer.

A motion was made by Councilmember Derek Norton to approve 2016-191 for a Name Change Request - from Cumberland Glen Apartments to 23Thirty Cobb Apartments at 2330 Cobb Parkway SE submitted by Mboti R Ngongi, seconded by Charles (Corkey) Welch. The motion carried by the following vote

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

7. Commercial Building Permits:

There were no Commercial Building Permits

8. Consent Agenda:

A motion was made by Councilmember Ron Fennel to approve the consent agenda as read aloud, seconded by Councilmember Doug Stoner. The motion carried by the following vote:

Aye: 7 - Councilmember Norton, Councilmember Blustein, Councilmember Anulewicz, Councilmember Welch, Councilmember Wilkinson, Councilmember Stoner and Councilmember Fennel

A. Approval of Mayor and Council Meeting Minutes for May 2, 2016

Sponsors: City Council

Mr. Mike Jones read the consent agenda aloud for Council approval.

9. Committee Reports:

Ward 7 - Councilmember Ron Fennel - Commended finance staff on the work towards a balanced budget. He remarked about the locations of the budget for citizen review as well as the public hearing dates. He commended the Smyrna Police Department regarding a stolen mail incident in his subdivision and several neighbors reported their appreciation. The police Department made a quick arrest.

Ward 6 - Councilmember Doug Stoner - Commended the Police Department and Parks and Rec for the organization regarding parking at Food Truck Tuesdays. As Chair of Community Development he was pleased to see the addition of another building inspector.

Ward 5 - Councilmember Susan Wilkinson - Spoke about the wonderful Garden Tour and she thanked the volunteers who helped make the event successful.

Ward 4 - Councilmember Corkey Welch - Encouraged citizens to do their research and get out and vote.

Ward 3 - Mayor Pro Tem / Councilmember Teri Anulewicz. - Reiterated the importance of voting and extended appreciation to the citizens that came out to ask questions about the budget.

Ward 2 - Councilmember Andrea Blustein - Encouraged citizens to get out and vote.

Ward 1 - Councilmember Derrick Norton - There will be a Ward 1 meeting in the Monday, May 23rd at 6:30pm Spring Hill neighborhood and will hold one in Argyle

Estates on Tuesday May 24th at 6:30pm. Please contact him for the home address of the individuals hosting these meetings.

Mike Jones had no report.

Scott Cochran had no report.

Terri Graham gave the specific information regarding early voting and listed the specific location addresses and times.

10. Show Cause Hearings:

11. Citizen Input:

Cynthia Laurens: 1350 Overlook Cove spoke regarding Argyle Elementary School additional police staffing. She also spoke about Powder Springs Intergovernmental Agreement and her concern that these were only minor infractions. She also mentioned the Conservatives Group that met at Rev Coffee at 8:00am on Wednesdays.

Stacy Brumgarten: Spoke about affordable housing regarding the Spring Road Corridor. Galleria Courtyard is where she resides. She wants to know the timeframe for which residents will be given to them for a move. Derek Norton noted that there has been no discussion regarding Galleria Courtyard to date and housing inventory is being reviewed.

12. Adjournment:

Mayor Bacon adjourned the Mayor and Council Meeting at 8:18 PM