

DECEMBER 4, 1986

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION in the Courthouse, Bradenton, Florida, Friday, December 4, 1986 at 9:47 a.m.

Present were Commissioners:
Westwood H. Fletcher, Jr., Chairman
Edward W. Chance, Vice-Chairman
Kent G. Chetlain
Patricia M. Glass
James J. McGrath

Also present were:
H. Hamilton Rice, Jr., County Attorney
Richard H. Ashley, Chief Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

The meeting was called to order by Chairman Fletcher.

All witnesses/staff giving testimony were duly sworn.

ZONING

Public hearing was opened to consider

Z-86-30/DRI #17 SCHROEDER-MANATEE, INC/CYPRESS BANKS (CONT'D)
(Continued from October 9, 1986)

At the request of the applicant (via staff), and upon motion by Mrs. Glass, seconded by Mr. Chetlain and carried unanimously, the public hearing was continued to January 22, 1987 at 9:00 a.m., or as soon thereafter as same may be heard.

Public hearing was opened to consider

Z-86-89 BELLANT & YOUNG - C-1/AF (CONT'D)
(Continued from November 13, 1986)

Betsy Binac, Planning & Development, reviewed the staff report.

Question was raised if the effects of single access onto a residential road and increased traffic on the residential neighborhood had been addressed. Jerome Gostkowski, Highway Division, stated the Transportation Department recommended a planned development commercial (PDC) zoning instead of C-1/AF.

Discussion: Area residents paying for paving a road (through participation project); commercial center heavily impacting on residential street; no direct access onto arterial or minor arterial road.

Bruce Franklin, retained to assist petitioner, showed a sketch of the proposed rezone area and pointed out that an agreement could be entered into for any roadway improvements as necessary. He submitted a petition and a letter from Roger Craton in support of the rezone.

Upon question as to whether PDC zoning had been recommended to the applicant, Mike Hennessy, Planning Department, stated it was briefly discussed at the Development Review Committee meeting but was not pursued on the basis that the overlay that can be applied on a rezone would provide adequate protection.

Upon motion by Mr. Chetlain, seconded by Mr. Chance and carried unanimously, petition and correspondence were entered into the record.

Roger Rollins, real estate broker representing Bellant & Young, requested approval of the request.

Mr. Franklin noted that the same mechanism exists with C-1/AF zoning as PDC relative to application of controls and addressing concerns of the Board. He stated that if it is determined PDC would be more appropriate, he would request a continuance of the hearing in order to discuss development of a plan with his client.

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Cont'd

Public comment portion of the hearing was closed.

Upon motion by Mr. McGrath, seconded by Mr. Chetlain and carried unanimously, the public hearing was deferred to an indefinite date.

PARTICIPATION PROJECTS (ROAD/SEWER ASSESSMENTS)

Bob Matthews, Camp Dresser & McKee, consultant, gave an overview of the proposed road assessment and sanitary sewer projects. He pointed out the County has received 55 percent Federal grant funding for the collection systems being presented and the Environmental Protection Agency (EPA) will participate in the replacement of paved streets where gravity sewers are to be constructed. In areas where there are no paved streets, EPA will participate in reconstruction to County standards of base and sub-base materials.

Projects 5130; 301-2505/Exhibit #1 (Marineland)

Public hearing (Notice in The Bradenton Herald, November 20, 1986) was opened to consider

Road Assessment Project #5130 (Continued)
Marineland; Marineland Addition; Moores Addition/Vicinity
 65th Avenue East (aka Marineland Road/Braden Road) from Linger Lodge Road, west to deadend.
 Lincoln Road from 65th Avenue East, north to deadend.
 Lincoln Road from 65th Avenue East, south to deadend.
 65th Avenue Drive East (aka Palmetto Road) from Lincoln Road, east to Quonset Road.
 Quonset Road from 65th Avenue East, south to Pine Road (aka Quonset Road).
 Pine Road (platted as Pine Road, aka Quonset Road) from 68th Avenue East (aka River Road), north then west to deadend.
 67th Avenue East (aka Myrtle Road) from Linger Lodge Road, west to Quonset Road.
 68th Avenue East (aka River Road) from Linger Lodge Road, west to deadend.
 Linger Lodge Road from 68th Avenue East, north to existing pavement.

Special Sewer Assessment Project #301-2505/Exhibit #1 (Cont'd)
Lincoln Drive North, east 1,225 feet m/l to Lincoln Drive South.
Lincoln Drive South from Lincoln Drive North, south 330 feet m/l, then southwest 1,890 feet m/l, and 805 feet m/l of a private road located off Lincoln Drive South.
 65th Avenue Drive East from Lincoln Drive South, east 625 feet m/l.
 65th Avenue East from Lincoln Drive South, east 1,880 feet m/l.
 Quonset Road from 65th Avenue East, south 2,705 feet m/l.
 68th Avenue East from Braden River Road, west 1,050 feet m/l.
 Braden River Road from 68th Avenue East, north 545 feet m/l.
 Vernon Drive from 65th Avenue Drive East, south 675 feet m/l.
 67th Avenue East from Quonset Road east, 655 feet m/l.

Approval of the project requires adoption of

R-86-299

A RESOLUTION APPROVING SPECIAL ASSESSMENT (MARINELAND)

(A) PROJECT NO. 5130, ROAD ASSESSMENT

(B) PROJECT NO. 301-2505, SANITARY SEWER ASSESSMENT

and authorizing execution of an agreement with the Property Appraiser and Tax Collector.

Motion: Accept Correspondence

Upon motion by Mr. Chance, seconded by Mrs. Glass and carried unanimously, correspondence from Bill Weeks in favor of the project was entered into the record.

(Depart Mr. Chance)

Tom Fenton, Transportation Department, in providing overview of the projects, stated that approval will direct development of a preliminary assessment roll; that road assessments will be based 50 percent on front footage and 50 percent on acreage, while sewer assessments will be based on road frontage only.

Frank Perkins, Property Appraiser, requested a work session to discuss creation of a special assessment roll separate from the ad valorem roll in order to clarify taxes imposed by the Taxing Authority, et al, and taxes imposed by the voters.

(Enter Mr. Chance)

Bill McHie, CDM, referred to a map illustrating the area under discussion and stated that the total estimated assessable cost of the project is \$551,164.

(Depart Mr. Fletcher; Mr. Chance presiding)

Ernest Marshall stated he owns 40 acres of land in the area which is used solely for raising cattle. He pointed out that he will not benefit from the proposed improvements but will be expected to pay for a major portion due to the fact that his parcel has seven sides. He recommended that another method of calculating assessments be developed to more fairly assess the property.

(Enter Mr. Fletcher)

Terry Gerwinski, representing various property owners, spoke in opposition to the project and submitted an opposing petition.

Motion: Accept Petition

Motion was made by Mrs. Glass, seconded by Mr. Chetlain and carried unanimously, to enter the petition into the record.

Others speaking in opposition were Len Brady, Selman Ledbetter, A. M. Norris (opposed to sewer project only) and Ron Sturtevant.

Motion: Reopen Hearing

After the public comment portion of the hearing was closed, another member of the audience indicated a desire to speak. Mrs. Glass moved to reopen the public hearing. Motion was seconded by Mr. Chetlain and carried unanimously.

Jesse Dotson spoke in favor of the project.

Public comment portion of the hearing was closed.

Motion to Deny (Failed)

Motion was made by Mr. McGrath, and seconded by Mr. Chance, to deny Resolution R-86-299, Marineland.

Discussion followed. Upon question, Mr. Matthews advised that one of the grant conditions includes proceeding with construction within 90 days and completing the project within 12 to 14 months. It was pointed out that if the project is denied, additional information (exact costs) would not be presented since the second public hearing will not be scheduled.

Voting "Aye" were Mr. McGrath and Mr. Chance. Voting "No" were Mrs. Glass, Mr. Chetlain and Mr. Fletcher. Motion failed.

Motion to Approve (Failed)

Mrs. Glass moved to adopt Resolution R-86-299. Mr. Fletcher stepped down as Chairman to second the motion for discussion.

In response to question as to necessity of adopting the resolution in order to hold the second public hearing, the County Attorney explained that procedure is established by statute. He pointed out that another alternative would be continuance to a later date; however, a continuance would not provide the additional information which is submitted at the second public hearing.

Voting "Aye" were Mrs. Glass and Mr. Fletcher. Voting "No" were Mr. McGrath, Mr. Chetlain and Mr. Chance. Motion failed.

Motion to Continue (Withdrawn)

Motion to continue the public hearing to a date certain was withdrawn after discussion.

R. A. Wilford, Director of Public Works, advised that if the hearing were continued to December 16, 1986, bids will have been received and staff will have had an opportunity to brief residents in the area.

(Depart Mr. Chance)

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Cont'd

Motion: Reconsider

Mr. Chetlain moved to reconsider denial and continue this hearing to January 7, 1987 at 9:00 a.m. or as soon thereafter as same may be heard. Motion was seconded by Mrs. Glass. Voting "Aye" were Mr. Chetlain, Mrs. Glass, and Mr. Fletcher. Voting "No" was Mr. McGrath. Motion carried.

Motion: Continue Public Hearing

At the recommendation of the County Attorney, Mr. Chetlain moved to continue the public hearing to January 7, 1987, at 9:00 a.m. Motion was seconded by Mrs. Glass and carried unanimously.

Recess/Reconvene. All members present except Mrs. Glass and Mr. Chance.

Projects 5084; 301-2504/Exhibit #7 (Orange Ridge Area)

Public hearing (Notice in The Bradenton Herald, November 20, 1986) was opened to consider

Road Assessment Project #5084

32nd Avenue West from 1st Street West, west to 3rd Street West.

Special Sewer Assessment Project #301-2504/Exhibit #7

28th Avenue West from 7th Street West, east 635 feet m/l.

7th Street West from 30th Avenue West, north 1,258 feet m/l.

30th Avenue West from 7th Street West, west 700 feet m/l.

8th Street Court West from 30th Avenue West, north 908 feet m/l.

29th Avenue West from 8th Street Court West, west 290 feet m/l.

8th Street West from 30th Avenue West, north 1,005 feet m/l.

4th Street West from 28th Avenue West, north 260 feet m/l.

27th Avenue West from 5th Street West, west 1,240 feet m/l.

Gar-Fair Trailer Park from east and west 570 feet m/l and from southeast and west 540 feet m/l.

31st Avenue West from 9th Street West, east 575 feet m/l, then south a distance of 330 feet m/l, then west a distance of 170 feet m/l, then south a distance of 170 feet m/l.

3rd Street West from 30th Avenue West, south 540 feet m/l.

An alley from 9th Street West, east 200 feet m/l to 8th Street Court West.

29th Avenue West from 8th Street West, west 225 feet m/l.

An alley off 8th Street West, west 265 feet m/l.

5th Street West from 28th Avenue West, north 515 feet m/l.

6th Street West from 28th Avenue West, north 260 feet m/l.

27th Avenue West from 4th Street West, west 195 feet m/l.

M&K Trailer Park Road south of 30th Avenue West.

32nd Avenue West from 3rd Street West, east 525 feet m/l.

Property located south of 30th Avenue West and adjacent east of 301 Boulevard, running 300 feet m/l north and south, and 200 feet m/l east and west, all to be located within private easements.

Property located between 30th Avenue West and 32nd Avenue West and adjacent west of 1st Street West running 910 feet m/l north and south, and 440 feet m/l east and west, all to be located within private easements.

Note: See W. from 9th St W., east 1215 ft m/l

Mr. McHie referred to overlays indicating the areas of improvement and stated that the total estimated assessable cost is \$447,000.
(Enter Mr. Chance and Mrs. Glass)

Thomas McDonald questioned which roads would be paved and Melvin Lee spoke in favor of the project.

Public comment portion of the hearing was closed.

Motion was made by Mrs. Glass, seconded by Mr. McGrath and carried unanimously, to adopt

R-86-298

A RESOLUTION APPROVING SPECIAL ASSESSMENT (ORANGE RIDGE)

(A) PROJECT NO. 5084: ROAD ASSESSMENT

(B) PROJECT NO. 301-2504: SANITARY SEWER ASSESSMENT

and authorizing execution of an agreement with the Property Appraiser and Tax Collector.

RECORD RESOLUTION
RECORD: CONTRACT FILE

S36-050
3468

** Inadvisable by omitted from minutes*

Correspondence

Motion was made by Mr. Chance, seconded by Mr. Chetlain and carried unanimously, to enter into the record all correspondence relating to the public hearing items on the agenda memorandum of December 4, 1986.

Projects 5062; 301-2506/Exhibit #2 (West Memphis Area)

Public hearing (Notice in The Bradenton Herald, November 20, 1986) was opened to consider

Road Assessment Project #5062

3rd Avenue East from 17th St. E., north to 23rd St. E.
 1st Avenue East from 17th St. E., north to deadend.
 2nd Avenue West from 17th St. W., north to 25th St. W.
 3rd Avenue West from 17th St. W., north to 21st St. Ct. W.
 22nd Street East from 1st Ave. E., east to 3rd Ave. E.
 21st Street Court West from 2nd Ave. W., west to deadend.
 21st Street West from City Limits, east to U.S. 41.
 20th Street East from 2nd Ave. W., east to 3rd Ave. E.
 19th Street East from 2nd Ave. W., east to U.S. 41.
 18th Street East from 2nd Ave. E., east to 3rd Ave. E.
 1st Avenue East from 17th Street East, south 600 feet m/1.

Special Sewer Assessment Project #301-2506/Exhibit #2

17th Street West from 4th Avenue West, eastward to the Palmetto Eastern Canal.
 19th Street East from 3rd Avenue East, eastward 300 feet m/1.
 20th Street East from 3rd Avenue East, eastward 280 feet m/1.
 21st Street West from 4th Avenue West, to 3rd Avenue West.
 10-foot easement for alley located halfway between 21st Street West & 22nd Street West running from 4th Avenue West to 2nd Avenue West.
 25th Street from 2nd Avenue West, east to 2nd Avenue East.
 4th Avenue West extended from 17th Street West, north to 21st Street West.
 3rd Avenue West from 17th Street West, north to a point halfway between 21st Street West & 22nd Street West.
 2nd Avenue West from 17th Street West, north to 25th Street West.
 1st Avenue from 17th Street, north to a point 800 feet m/1 north of 25th Street.
 2nd Avenue East from 17th Street East, north to 25th Street East.
 3rd Avenue East from 17th Street East, north to 23rd Street East.
 1st Avenue East from 17th Street East, south 600 feet m/1.
 2nd Avenue East from 17th Street East, south 360 feet m/1.

Lloyd Griffith, Larson Engineering, referred to overlays indicating areas of improvement and stated the total estimated assessable cost is \$1,360,420.

Essie M. Knights, spoke in favor of the project and Ruth Isen questioned what the exact costs would be.

Public comment portion of the hearing was closed.

Motion was made by Mr. Chetlain, seconded by Mrs. Glass and carried unanimously, to adopt

R-86-300

A RESOLUTION APPROVING SPECIAL ASSESSMENT (WEST MEMPHIS)
 (A) PROJECT NO. 5062, ROAD ASSESSMENT
 (B) PROJECT NO. 301-2506, SANITARY SEWER ASSESSMENT
 and authorizing execution of an agreement with the Property Appraiser and Tax Collector.

RECORD RESOLUTION
 RECORD: CONTRACT FILE

S36-051
 3469

Projects 5068; 301-2504/Exhibit #9 (Bayshore/Kilbys Area-DeSears)

Public hearing (Notice in The Bradenton Herald, November 20, 1986) was opened to consider

Road Assessment Project #5068

63rd Avenue West from U.S. 41, west 960 feet m/1.

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Cont'd

Special Sewer Assessment Project #301-2504/Exhibit #963rd Avenue West from U.S. 41, west 960 feet m/l.Entrance road (unnamed) to Wilhelms Trailer Park from U.S. 41, west 1,215 feet m/l.Trailer Park Road 120 feet m/l south of entrance road and from U.S. 41, west 1,200 feet m/l.Trailer Park Road 100 feet m/l north of North Palm Lane beginning 190 feet m/l, west of U.S. 41 and commencing west 1,070 feet m/l.North Palm Lane from U.S. 41, west 1,155 feet m/l.

Mr. McHie referred to overlays indicating areas of improvement and stated the total estimated assessable cost is \$260,000.

Ann Gruntman, Manager of Wilhelm Mobile Home Park, spoke in opposition to the project and Martha Whitcomb, owner of Pine Haven Mobile Park, spoke in favor.

Mr. Fletcher submitted memorandum from Forest L. Hancock, Alice T. Hancock, and Iris Stevens in favor of the project. Motion was made by Mrs. Glass, seconded by Mr. Chetlain and carried unanimously, to enter correspondence into the record.

Motion was made by Mrs. Glass, seconded by Mr. Chetlain and carried unanimously, to adopt

R-86-301

A RESOLUTION APPROVING SPECIAL ASSESSMENT (BAYSHORE/KILBYS AREA - DESEARS ROAD)

(A) PROJECT NO. 5068, ROAD ASSESSMENT

(B) PROJECT NO. 301-2504, SANITARY SEWER ASSESSMENT

and authorizing execution of an agreement with the Property Appraiser and Tax Collector.

RECORD RESOLUTION

RECORD: CONTRACT FILE

S36-052
3470Projects 5132; 301-2504/Exhibit #8) (Laurel Park)

Public hearing (Notice in The Bradenton Herald, November 20, 1986) was opened to consider

Road Assessment Project #513210th Street Court East from 37th Avenue East, south 660 feet m/l.11th Street East from 37th Avenue East, south 660 feet m/l.Special Sewer Assessment Project #301-2504/Exhibit #8Right-of-way from 10th Street Court East, east 703 feet m/l.10th Street Court East from 37th Avenue East, south 660 feet m/l.11th Street East from 37th Avenue East, south 648 feet m/l.11th Street Court East from 37th Avenue East, south 385 feet m/l.37th Avenue East from 11th Street East, east 253 feet m/l.

Mr. McHie referred to overlays indicating areas of improvement and stated the total estimated assessable cost is \$130,000.

Motion was made by Mrs. Glass, seconded by Mr. Chetlain and carried unanimously, to adopt

R-86-302

A RESOLUTION APPROVING SPECIAL ASSESSMENT (LAUREL PARK)

(A) PROJECT NO 5132, ROAD ASSESSMENT

(B) PROJECT NO. 301-2504, SANITARY SEWER ASSESSMENT

and authorizing execution of an agreement with the Property Appraiser and Tax Collector.

RECORD RESOLUTION

RECORD: CONTRACT FILE

S36-053
3471Project 301-2506/Exhibit #3 (Rocky Bluff)

Public hearing (Notice in The Bradenton Herald, November 20, 1986) was opened to consider

Special Sewer Assessment Project #301-2506/Exhibit #31,500 L.F. m/l along U.S. 301 R/W & 19th Street East (limited access of U.S. 301), from Hi-Way Shores MHP, northerly to I-75 crossing.18th Street East from 19th Street East (limited access along U.S. 301), easterly to U.S. 301.

60th Avenue East from 18th Street East, northerly to 19th Street East (U.S. 301 limited access) from 18th Street East, southerly 155 L.F. M/L within an easement, into Edgewater Furnished Apartments property.

from 18th Street East, within an easement, 515 l.f. m/l, running southerly and easterly into Dove's Trailer Park.

from 18th Street East, within an easement, 90 l.f. m/l, running northerly into Carolyn-Gail MHP.

from 18th Street East, within an easement, 1,050 l.f. m/l, running southerly and westerly into Pelican Pier MHP.

Mr. Griffith referred to overlays indicating areas of improvement and stated the total estimated assessable cost is \$644,937.
(Depart Mrs. Glass)

Speaking in favor of the project were Orville Long, Pelican Pier Mobile Home Park, and Richard Depesto, Dove's Trailer Park.

Motion was made by Mr. McGrath, seconded by Mr. Chetlain and carried unanimously, to adopt

R-86-304

A RESOLUTION APPROVING SPECIAL SEWER ASSESSMENT PROJECT NO. 301-2506 (ROCKY BLUFF) and authorizing execution of an agreement with the Property Appraiser and Tax Collector.

RECORD RESOLUTION
RECORD: CONTRACT FILE

S36-054
3472

(Enter Mrs. Glass)

Project 301-2503/Exhibit #4 (Sunny Shores/Sagamore Estates)

Public hearing (Notice in The Bradenton Herald, November 20, 1986) was opened to consider

Special Sewer Assessment Project #301-2503/Exhibit #4

40th Avenue West from 118th Street West, east 909 feet m/l.

115th Street West from 40th Avenue West, north 1,974 feet m/l.

38th Avenue West from 118th Street West, east 760 feet m/l.

115th Street Court West from 40th Avenue West, north 1,435 feet m/l.

118th Street West from 40th Avenue West, north 1,740 feet m/l.

36th Avenue West from 118th Street West, west 930 feet m/l.

117th Street West from 40th Avenue West, north 1,600 feet m/l.

116th Street Court West from 40th Avenue West, north 1,575 feet m/l.

116th Street West from 40th Avenue West, north 1,577 feet m/l.

Mr. McHie referred to overlays indicating area of improvement and stated the total estimated assessable cost is \$445,000.

Joseph Braddock, Sagamore Estates, spoke in favor of the project. He objected, however, to the location of the lift station in the parkway and submitted maps illustrating the proposed location. Discussion followed including flooding conditions in the area.

(Depart Mr. Chance)

Delbert Hanna, President of Sunny Shore, spoke in favor.

Recess/Reconvene. All members present.

Julius Phillips, objected to the proposed location of the lift station and the method of assessments.

Virgil Mills, Thelma French and Wayne Grelaun spoke in favor the proposed project.

Public comment portion of the meeting was closed.

Motion was made by Mr. Chetlain, seconded by Mrs. Glass and carried unanimously, to adopt

R-86-305

A RESOLUTION APPROVING SPECIAL SEWER ASSESSMENT PROJECT NO. 301-2503 (SUNNY SHORES/SAGAMORE ESTATES) and authorizing execution of an agreement with the Property Appraiser and Tax Collector.

RECORD RESOLUTION
RECORD: CONTRACT FILE

S36-055
3473

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Cont'd

(Depart Mrs. Glass)

Project 301-2504/Exhibit #5 (Palma Sola/Bayview Groves)

Public hearing (Notice in The Bradenton Herald, November 20, 1986) was opened to consider

Special Sewer Assessment Project #301-2504/Exhibit #5
4th Avenue Northwest from 83rd Street West, west 438 feet m/l.
83rd Street Northwest from 4th Avenue NW, north 1,550 feet m/l.
84th Street Northwest from 4th Avenue NW, north 1,463 feet m/l.

Mr. McHie referred to overlays of the area and stated the total estimated assessable cost is \$112,000.

Public comment portion of the hearing was closed.

Motion was made by Mr. Chance, seconded by Mr. Chetlain and carried unanimously, to adopt

R-86-306

A RESOLUTION APPROVING SPECIAL SEWER ASSESSMENT PROJECT
 NO. 301-2504, (PALMA SOLA/BAYVIEW GROVES)
 and authorizing execution of an agreement with the Property
 Appraiser and Tax Collector.

RECORD RESOLUTION
 RECORD: CONTRACT FILE

S36-056
 3474

Project 301-2504/Exhibit #6 (Mockingbird/Palm Acres)

Public hearing (Notice in The Bradenton Herald, November 20, 1986) was opened to consider

Special Sewer Assessment Project #301-2504/Exhibit #6
Oak Street from 44th Avenue West right-of-way, south 363 feet
 m/l.
Palm Street from 44th Avenue West right-of-way, south 406 feet
 m/l.
Pine Street from Palm Street, south 162 feet m/l.
 An easement commencing 33 feet m/l west of Pine Street, then
 south 470 feet m/l.

Mr. McHie referred to overlays of the area and stated the total estimated assessable cost is \$115,000.

(Enter Mrs. Glass)

Frank Eldridge spoke in opposition to the project.

Public comment portion of the hearing was closed.

Motion was made by Mr. Chetlain, seconded by Mr. Chance and carried unanimously, to adopt

R-86-307

A RESOLUTION APPROVING SPECIAL SEWER ASSESSMENT
 PROJECT NO. 301-2504 (MOCKINGBIRD/PALM ACRES)
 and authorizing execution of an agreement with the Property
 Appraiser and Tax Collector.

RECORD RESOLUTION
 RECORD: CONTRACT FILE


S36-057
 3475

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


 Clerk


 Chairman 2/16/87

Adj: 3:58 p.m.