Regular Council Meeting Minutes

June 15, 2022

The regular meeting of the Arlington City Council was held on June 15, 2022 in the Council Chambers of the Municipal Building.

Presiding: Mayor Jeff Bufton

Council Present: Denise Ball, Robert Christensen, Marshall Swope, Matthew Irby, Jerry Hanan and Henry Thuener.

Council Absent: None

Staff Present: Recorder Kari Hayter, Public Works Superintendent Shanna Gronquist, Attorney Ruben Cleaveland, Kirk Fatland and Brad Baird.

Guests: Jed Crowther, Pat Shannon, Leah Shannon, K'Lynn Lane, Sgt. Tory Flory, Tim Wetherell, Danelle Wetherell, Christopher Hawkins, Jan Longacre, Rick Schadewitz, Carrie Schadewitz, Eli Caudill, Keelie Caudill and Christopher Jackson.

Budget Hearing

Called to Order: 6:30 p.m.

The Arlington City Council Conducted a Public Hearing to discuss the budget for the fiscal year of 2022-2023 as approved by the Arlington Budget Committee. The Council will receive comments on the proposed use of State Shared Revenues. Final adoption, appropriating and levying taxes will be completed.

Open to Public Comment: There were no questions or comments. Mayor Bufton closed the Hearing at 6:32 p.m.

Regular Council Meeting

Call to Order: Mayor Bufton called the regular meeting to order at 6:32 p.m.

Pledge of Allegiance Recited

1. PUBLIC COMMENT:

Jed Crowther, Port of Arlington: Jed stated he appreciates the cooperation of the Council to develop a workshop with the Port with efforts to sync some work and outreach. Jed offered to assist with plans of development for the Arlington Motel. Jed stated the Port is also looking for an auditing firm.

Pat Shannon- Gilliam County: Gilliam County has established a presence in Arlington at the Gronquist Building. The Administrator to the Commissioners and the Victims Advocate will be at the Gronquist Building Tuesdays and Thursdays. There will be one County Court meeting in Arlington every month.

Sgt. Tory Flory- Gilliam County Sheriff's Office: Arlington has been divided up into four zones, each zone has been assigned to a Deputy who will be enforcing City ordinances; this has been going well. Deputy Kayla Franck resigned; the Sheriff's Office is down two positions. Brittney Orendorff is in training, she's going to the academy in August and will be on duty in December. Sgt. Flory stated he would like to remain the point of contact for any ordinance violations; the violation will be assigned to the proper Deputy. Mayor thanked the Sheriff's Office for everything they do for the County and community.

- 2. **CONSENT AGENDA:** Consent agenda consisted of the following items:
 - a. Approval of minutes May 4, 2022
 - b. Approval of bills as listed.

Councilor Christensen motioned to approve the consent agenda and the bills as listed, motion seconded by Councilor Ball. Motion passed unanimously.

- 3. ARLINGTON ACTION COMMITTEE: K'Lynn Lane, Chairman of the Arlington Committee for the Oregon Frontier Chamber of Commerce, stated the Big River Band Festival will be taking place at Earl Snell Park, Saturday from 12:00 pm to 8:00 pm. In May, we had the Jackpot Rodeo, Apex Pro Bass Fishing Tournament, Community Clean Up, Artisans Market, and the Arlington Fishing Derby. On July 30th, we have the Car Show & Shine and the Port of Arlington's 3 on 3 Basketball Tournament; Participants and sponsors have been notified. The Oregon Frontier Chamber has been selected to lead two Oregon Main Street Grants. Two grants have been awarded to Moro and Spray in the amount of \$2,000 for the historical preservation and restoration of Hotel Moro and the Spray General Store. Now that Arlington is signed on as a participating community for the Oregon Main Street effort, K'Lynn hopes we can identify some projects to do on our Main Street this next year. Table and chair reservations will be taken online; Julius Courtney will fully retire from that position. The Gillam County Court funded OFCC an additional \$5,000 to administer to Gilliam County businesses. The OFCC has served 174 hours of direct technical assistance and has written and been awarded grants totaling \$565,000. We are one of two communities in the State of Oregon leading the Business Oregon in Rural Opportunities Initiative Grant Program. We are spear heading Main Street Revitalization and are also having conversation about how to improve Airports in Gilliam County. The July 13, Action Committee meeting, will be held at Bee Sweet Bakery & Deli. The flowers that will be displayed locally have been picked up and are ready to hang. Mayor Bufton thanked K'Lynn for getting volunteers situated and taking care of the flower beds at Earl Snell Park; He would like to see more with the Veteran's Memorial.
- 4. KIRK FATLAND, TENNESON ENGINEERING: Kirk Fatland stated this will be a Public Hearing for an appeal regarding a land use action that was decided by the Planning Commission. Kirk gave the Quasi-Judicial script to Mayor Bufton to read aloud. Mayor Bufton read as stated: The public hearing is now open for the purpose of considering a partition on behalf of Eli Caudill. Mayor Bufton read aloud the procedure for this hearing. See attached Quasi-Judicial Script. Mayor Bufton: Will the Planning Staff please present their staff report. Kirk Fatland stated the following: This is a partition. The ordinance delineates between minor partitions and major partitions; major meaning dealing with the creation of a street. This is at the corner of Sunrise Lane and Wright Road in the Subdivision. This was presented by Eli Caudill, he brought it before the Planning Commission; the first hearing was January 27, 2022. At that meeting, it was determined that more information was needed regarding the sewer and water systems and the ability to service the lots. That information was than prepared by an engineer working for Eli and processed by the City's Engineer, Brad Baird. They determined it is in fact possible to service the lots; Eli has offered to put in a lift station to make this possible. There are things that will need to done but it is possible to service these lots. The proposed partition will create three lots. Currently, it is a 37,000 sq. ft. lot, which would break off into roughly an 11,000 sq. ft., 10,000 sq. ft. and 15,000 sq. ft. lots. Kirk referenced two maps given to the Council. At that first hearing, more information was requested. At the follow up meeting in April, the Planning Commission decided to deny the application. By our ordinance, the criteria we judge this against is pretty minimal. We have a minimum square foot lot size in this zone, and a minimum frontage standard; minimum lot size is 7,500 sq. ft., required frontage is 50 feet and side yard set backs are 5 feet. . The Southernmost lot, parcel 3, does have an easement of 21 feet along the southern edge limiting the lot in size for development. In the end, parcel 3 does meet all our requirements. The Planning Commission thought the initial intent of the Subdivision was to be larger lots, the fact is, our ordinance sets a minimum lot

size standard. The Planning Commission was advised of this, now the decision is up to the Council. Councilor Thuener asked if Wright Road would be extended all the way to the fence to actually create 50 ft. of road frontage. Kirk stated in order to be developed, the road would need to be extended; this can be a condition of approval. Mayor Bufton asked Brad if he had any statements about water usage. Brad stated the pipe layout does work for what they are trying to do and the sewer can be managed by an individual lift station. He recommends the Fire Chief takes a look at this. It is a good idea to check hydrant spacing when it comes to a more dense development to assure fire protection. Kirk stated he would be happy to answer any questions, there are some things in the ordinances that are pretty subjective. Councilor Ball stated when it was annexed in, the CC&Rs all went away and now falls under our planning and zoning ordinances. Kirk stated this is more confusing and hard for people than a normal situation where it's a subdivision in the City, this area has been through a lot of transitions.

Mayor Bufton: At this time, we will hear from the members of the audience, proponents first.

Eli Caudill, 201 Weaver St. Moro, OR 97039: Thank you for having me here. I'm here today to appeal the City Planning Commissions decision to deny the minor partition application. In November is when I submitted the partition application to the City of Arlington. Kirk has gone over some of the details of the lot sizes and location. He mentioned that there were two Planning Commission meetings to discuss the proposal. When I was there, I truly appreciated the input from the surrounding home owners, specifically Tim Wetherell's historical knowledge of City services. Ultimately, I believe the decision should be based on what's allowed in the ordinance and how the proposal aligns with the ordinance. The decision to reject the proposal was based on the character of the lots and from what I can tell, there is nothing in the City ordinances identifying the character of lots as something to reject. This is not a request for a variance from the City's rules. This pretty much aligns from everything that I can see in the ordinances. The proposed lots in addition to meeting the size requirements, any proposed buildings would fit with the proposed setbacks that are required by the City also. I don't have any plans set for anything, I'm just in the process working on getting this approved by the City. Again, I believe that the rules in the Arlington zoning ordinance should be followed and the partition should be approved, thank you. Councilor Ball asked if the home already on the lot is a spec home, Eli stated it is a rental. Mayor Bufton asked Eli if plans on residing on one of the divided lot or if he is a developer. Eli stated he wouldn't call himself a developer. Eli and his Wife will be moving to Condon.

Mayor Bufton: At this time, we will be taking comments from opponents.

Christopher Hawkins, 1230 Sunrise Lane Arlington, OR 97812: Good evening and once again I am happy to engage in this opportunity to voice my opposition to the overdevelopment of a property that will have a potential negative impact on my family and my neighbors who I now consider friends. That being said, it is apparent that Mr. Caudill is highly motivated to push with his goal of overdeveloping a property in stark contrast to surrounding properties. As such, Mr. Caudill was warranted a more adequate statement of opposition. I oppose the over development of an adjacent property in the manner of placing three homes. The addition of two houses brings an unknown quantity of transient population due to the visitors and social events. The probability is high, but this results in unforeseen consequences that are detrimental to the neighborhood. Additionally, with an increase in population density means a decrease in my family's and neighbors privacy. This is not courteous to the fellow citizens in a town he does not live in. Mr. Caudill, in the previous meeting you mentioned that you wanted to develop because you like houses. So, why go the route of overcrowding a lot in a town that has a population less than 1,000 people? It seems if your motivation is the joy of developing land and building houses, your endeavors would be far more enjoyable and satisfying developing separate lots, with higher quality homes, and therefore, a more agreeable neighborhood. I ask you to please reconsider your plans, this seems forced. Wait and see, in the future opportunities will arise and be a better investment and a more impressive shown of your motivation of developing property. Thank you.

Tim Wetherell, 1250 Sunrise Lane Arlington, OR 97812: I appreciate you hearing us. We have talked about roadways, one of my concerned is City streets are normally 32 feet wide, the road going down to my house, which will house own of Mr. Caudill lots, is 16 feet wide; that is half the size of a City of Arlington street. You cannot drive down that roadway and meet a car without stopping or pulling off to the side. If we are going to approve this, the City needs to look into developing those roads in the subdivision. I'm not saying they need to be a full 32 feet, but they need to be wide enough so two cars can pass. At the top of Wright Road, the road is 17 feet wide. It stops by going into Jan Longacre's driveway. If we are going to do this, that road needs to be extended. I take issue with saying the water and sewer up there is fine. There is a two inch line that runs down to my house, it services me and it's supposed to service two other lots; one that I own and one that Mr. Caudill owns. He talking about pulling another home on that line. My wife and I have property across the street that we could theoretically divide into three lots, so that would mean six more homes up there on a two inch water line. If we do this now, and later I want to develop, am I going to stuck paying all the extra cost for a water line to service these homes? Before we make a decision on this, our Engineer needs to take a good hard look at this. I know right now it is fine, but what is going to happen in the future? My other concern is our property value. I know all the Councilors live in town and they drive around. Take a look at our rental properties, they are atrocious. The majority of them are horrible and the weeds are over grown. I'm just afraid of what's going to happen here with and absentee landlord, no offense to anyone, I'm sure he'd do the best he could. When you are not there keeping an eye on your property, people have their way with it. We went through two of these hearings and the Planning Commission decided that area up there was better off not subdividing all those lots into smaller lots. The Planning Commission are City Council appointed people that do their job, I think I would be a good idea to listen to them and take a look at those streets, water and sewer. I know it is good now but will it be good in the future? Thank you for your time. Brad stated a two inch line would need to be replaced with a six inch line at a minimum, extending from the intersection to the end of Sunrise Lane. Upsizing the line can be made a condition of approval. Whoever is creating the condition, is responsible for upgrading infrastructure. Then, you can do a latecomers agreement or a waiver of remonstrance. Others pay a portion of the bill that is applicable to them to help offset the initial expenses.

Danelle Wetherell, 1250 Sunrise Lane Arlington, OR 97812: I just want to say we have had our home in the subdivision for nearly 25 years. We have a nice large yard and that why we moved there. The idea of having three tiny homes sitting on the lot right next to me, all staring down into my backyard that has always been a private place just doesn't sit very well with me. I ask you to consider that when we purchased our property, it was for the purpose of having large lots, privacy and room to spread out instead of having everything stacked on top of each other. Another concern is the road situation, because it really is just one way traffic. If someone is coming, you pull over and let them pass by, two cars cannot pass. When the subdivision was created, it was created with large lots for those who wanted to have hobby farms, large gardens and space to spread out so you don't have neighbors five feet next to you. We bought into that, and now we are going to have tree small rental properties just a stone throw away from our backyard. There are so many other lots that be built on, there is a whole other subdivision that needs to be developed here in Arlington. We don't need to start stacking houses on top of each other. We have not ran out of property in town. Councilor Ball stated the private developers wanted the subdivision brought into the City for road maintenance and water and sewer services. It came in under the zoning as well. Eli purchased his property for a particular reason and he knows what the zoning allows. The City can make sure the water is not impacted and the streets can be taken care of to accommodate traffic. It will be up to Eli whether he wants to proceed or not based on the conditions of approval. Jan Longacre, 1285 Wright Road Arlington, OR 97812: I'm concerned with the water pressure, I know last year it was low when I was watering. I'm also concerned with the street, the street is very narrow and leads right into my drive way. We have Eli's house that he build a year and a half ago and they use Wright Road. There is a new house going in right below me, Carrie and Rick will be using Wright Road also. For the last year and a half, I've

had three feet of asphalt missing from my street that I have to go over. I've have been complaining to the City and nothing gets done, they keep saying it's in the works. I was told that the contractor was supposed to pay for that, why isn't the City coming down on the contractor to get that fixed? Will the street be widened? These are my concerns.

Mayor Bufton: Any questions of the applicants? There were none.

Mayor Bufton: Anyone else who would like to comment from public agencies? There were none.

Mayor Bufton: If there is no further testimony, the public hearing is now closed. It is time for deliberation and decisions.

Councilor Swope stated his biggest problem up there is there is one access to that whole development. There is no way of getting any kind of fire or medical service up there is needed. If you start developing all these lots and bringing a lot of people in, there is going to have to be improved access to the development. Councilor Irby asked Attorney Cleaveland if there any legalities that we would be liable for if this was denied. Attorney Cleaveland stated the Caudill's could potentially take this to LUBA (Land Use Board of Appeals). If the City wanted to ask LUBA to uphold their decision, then the City would be dealing with some significant legal fees; potentially having LUBA side with the Caudill's. Tim Wetherell asked if the Caudill's appealed this to LUBA and they agree with them, if there is any legal expense. Attorney Cleaveland stated there would be the expense for legal fees for City representation at LUBA. Councilor Ball asked if the City can attach water line and paved road upgrades to the development of the properties. Attorney Cleaveland stated you can to a certain extent, it has to be specifically tied to the particular development otherwise it is considered unconstitutional. If it is directly due to the increase use and necessity based on the development, than you can. The Waiver of remonstrance that could be one way to do so. It is logical for the Council consider requiring reasonable improvements outright as a condition of the granting approval. Kirk Fatland stated the conditions that would make since would be road improvement to a standard approved by the Public Works Director and the City Engineer, including a turnaround approved by the Fire department and for the water line to be upgraded to at least 6 inches. Councilor Ball stated the City should start looking into this as more development takes place in the subdivision and require upgrades by landowners building new homes. Brad stated this is one of the reasons why Cities adopt a minimum water main size; anywhere from 6 to 8 inches. Eli asked if these would that be conditions to finalize the partition or if it would be a requirement for building to take place. Kirk stated it would be before finalizing. This would be your preliminary approval, then you would come back with the final plat that states you've done everything. Our code states you have a year to come back with a final plat and if you never show up it just doesn't happen. Attorney Cleaveland stated he recommends having these as a condition of the final plat. Once you do a final plat and lots get sold, getting improvements done can be a lot more difficult. Councilor Ball stated none of the Councilors are arguing that Eli is meeting a minimum lot size in the zone that he is in, but we also have to take care of the health and safety service issues. Approve the creation of legal lots but not approve the final plat until the road and water line improvements are installed. Brad stated if this is going towards being approved, we should get a more detailed look to make sure all the services are okay. Councilor Christensen asked how many homes the City Council will allow up there with one access road. Councilor Ball stated until they are partitioned, they cannot build on them. When they come to the partition, it will be required. Brad stated it is safe to say that if a whole bunch of the lots went this route on access is not adequate. The water, sewer and roads would all have to be looked at. Councilor Christensen stated he's worried this will set a precedence to let it go this route. Rick Schadewitz stated the easements between the streets are a waste of ground right now and asked why we don't have roads between them. Mayor Bufton stated some of the easements were plotted before the subdivision was developed. Councilor Ball asked Recorder Hayter how many complaints regarding water pressure the City has received. Recorder Hayter stated since she has been with the City, no one has called the office to complain about water pressure. However, she recalls hearing about the water pressure issue at the prior Planning Commission meeting when we talked about the Caudill issue; Tim Wetherell and Chris Hawkins stated they couldn't water there grass at the same time. Tim Wetherell stated that there have been water issues off and on since the City took over the subdivision. His concern is the hydrant pressure, below 20 PSI is not good according to the Oregon Health Division. Brad stated service lines from the main line to the house can also effect water pressure. Ideally, main lines should be bigger, but you can lose 30-40 pounds from the main line to the house if the service line is too small.

Mayor Bufton: Mr. Caudill, do you have a rebuttal?

Eli Caudill: There were discussions on the main road not being sufficient for some of the services. I do want to point out that there has been some previous partitions to take place within the subdivision over the last couple of years. I know the discussion of this area was intended to stay as is with these lot sizes that has previously changed. I did want to point of that I am not the only one that has pursued this in the subdivision. Danelle stated that partition was a 2-3 acre lot that was split into three large lots. It is on the other end of the subdivision that is not as developed. Councilor Ball stated she doesn't feel the Council can flat deny the proposal. Taxpayer's dollars can be better spent than wasting it on a lawsuit. Whoever chooses to develop is to be responsible for upgrades around their property and abutting properties. Councilor Christensen stated he would be more comfortable if Eli was living on the property and he doesn't believe this area was meant to be subdivided like this. Attorney Cleaveland stated the Council will need to make a final decision or waive the 120 day rule. Eli stated he and his wife will be out of town during the next Council meeting. He would like to waive the 120 day rule to provide additional time.

The consensus is to waive the 120 day rule at the request of the developer, Eli Caudill.

Councilor Christensen motioned to continue the discussion to the August 2022 Council Meeting, motion seconded by Councilor Ball. Motion passed unanimously.

Attorney Cleaveland stated Brad Baird and Kirk Fatland will write up the conditions of approval.

Planning Commission Chair, Nathan Hammer stated we have all learned new things tonight that can be helpful to the future of planning for the City of Arlington. I appreciate everyone who attended.

5. BRAD BAIRD, ANDERSON PERRY & ASSOCIATES: Brad reported on the following:

- The ODOT SCA Grant is still pending; this will cover the cost overage on the sidewalk project.
- The Water Management Conservation Plan has been reviewed, we have until August 1 to reply.
- We had the one stop meeting for the Water System Improvement Project; Brad will report more on this in July.
- There has been correspondence regarding Construction water use from Avangrid Renewable, they would like to extend this to 2028.
- Obsidian Renewables is interested in leasing property for a solar and hydrogen facilities.
- The Arlington Motel will need a phase one environmental assessment. The City could potentially seek grants without the assessment but it is highly recommended.

6. FINALIZE BUDGET

- a. Resolution No. 719 Financial Reserve Fund Transfers 2021-2022 Budget
- b. Resolution No. 720 Transfers from General Fund 2021-2022 Budget

Councilor Ball motioned to adopt Resolution No. 719, transfers from Water and Sewer Funds to Bond and Interest Redemption, and Resolution No. 720, transfers from General Fund to various capital projects and affiliated funds. Both for the fiscal year that began on July 1, 2021. Motion seconded by Councilor Christensen. Motion passed unanimously.

c. Resolution No. 721 Adopting 2022-2023Budget, making Appropriations, Levying Taxes & Categorizing Taxes

Councilor Ball motioned to adopt Resolution No. 721, Adopting 2022- 2023 Budget, making appropriations, levying taxes and categorizing taxes, effective July 1, 2022. Motion seconded by Councilor Swope. Motion passed unanimously.

- d. Resolution No. 722 Financial Reserve Fund Transfers 2022-2023 Budget
- e. Resolution No. 723 Transfers from General Fund 2022-2023 Budget

 Councilor Ball motioned to approve Resolutions No. 722 and 723 for certain transfers that will be effective July 1, 2022. Motion seconded by Councilor Christensen. Motion passed unanimously.
- f. Resolution No. 724 Declaring the City's Election to Receive Sate Revenues

 Councilor Ball motioned to approve Resolution 724, declaring the City's election to receive State revenue. Motion seconded by Councilor Christensen. Motion passed unanimously,
- g. Resolution No. 725 Resolution to Raise Utility Rates
 Mayor Bufton: Is there any public comment on the resolution to raise utility rates?
 Nathan Hammer: As a concerned citizen, I think you should raise them as needed.
 Councilor Ball motioned to approve Resolution No. 725, a resolution to raise utility rates, adopted in accordance with Ordinance 339, City Code 7-5-6H. Motion seconded by Councilor Irby. Motion passed unanimously.

7. APPROVE OR DENY

- a. Resolution No. 726 Volunteer Resolution

 Councilor Ball motioned to approve Resolution No. 726, extending Workers Compensation
 coverage to volunteers of the City of Arlington, in which the City of Arlington elects that they
 are applicable. Motion seconded by Councilor Christensen. Motion passed unanimously.
- b. Memorandum of Understanding Transient Tax

 Councilor Ball motioned to approve the Memorandum of Understanding use of transient room
 tax funds for signature between the City of Arlington and Oregon Frontier Chamber of
 Commerce. Motion seconded by Councilor Christensen. Motion passed unanimously.
- c. Audit Proposal Accuity Certified Public Accountants

 Councilor Hanan motioned to accept the proposal from Accuity, to be the City of Arlington's auditors. Motion seconded by Councilor Ball. Motion passed unanimously.
- d. Resolution No. 727 Contingency Transfer to Sanitation Fund
 Councilor Ball motioned to approve Resolution No. 727, to make a transfer to cover rental
 sanitation truck expenses. Motion seconded by Councilor Swope. Motion passed unanimously.

8. COUNCILORS REPORTS:

- Councilor Thuener-no report.
- Councilor Hanan- no report.
- Councilor Irby- no report.
- Councilor Swope stated Public Works will be moving at the Airport for a second time this season.
- Councilor Christensen reported he met with Simone from the State Fire Marshalls Office. She would like to meet with the Council to discuss future grant options regarding fire safety.
- Councilor Ball- no report.
- Public Works Superintendent Gronquist reported on the following:
 - Sanitation truck has been repaired.
 - Summer part time positions are filled.
 - o The City reposted the job for the Water/ Wastewater position.
 - o The City was awarded the grant for the new camera system.
- Attorney Cleaveland- no report.
- Recorder Kari Hayter reported Point&Pay is up and running.

Regular meeting adjourned at 8:29 pm

Jeffrey Bufton, Mayor

Taylor Grubaugh, Assistant Recorder

City Council Quasi-Judicial Script

- 1. The public hearing is now open for the purpose of considering: a site plan review.
- 2. The procedure I would like to follow tonight is:
 - Planning Department Staff Report
 - Members of the audience who wish to speak on the proposal.
 Proponents first, followed by opponents
 - Other public agency reports
 - Close hearing
- 3. Does anyone in the audience object to any of the City Councilors hearing this application?
- 4. Oregon Land Use Laws require that all issues be raised if the issues are to be appealed; failure to raise the issues at this hearing may invalidate their further appeal. An issue which may be the basis for an appeal to the Land Use Board of Appeals shall be raised no later than the close of the record at or following this evidentiary hearing. Such issues shall be raised and accompanied by statements or evidence of sufficient specificity to afford the city decision makers and the parties an adequate opportunity to respond to each issue.
- 5. The Council may, at the request of a participant, or on its own accord, continue the hearing to a date certain to provide an opportunity for persons to present and rebut new evidence, arguments or testimony related to the approval criteria.
- 6. Will the planning staff please present their staff report......Any questions from the commission?
- 7. Now is the time for public testimony. Are there any members of the audience who wish to speak in <u>favor</u> of this proposal? ... Are there any questions of the applicant? Are there any members of the audience who wish to speak <u>against</u> the proposal? Any questions of the applicant?
- 8. Are there representatives from public agencies that would like to testify regarding the proposal?
- 9. If there is no further testimony, the Public Hearing is now closed.
- 10. Deliberation. Decision. Next item.