

1/19/2023

A regular meeting of the Keene City Council was held on Thursday, January 19, 2023. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael J. Remy, Gladys Johnsen, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers were present. Having declared a quorum was physically present, Mayor Hansel recognized that Councilor Ormerod requested to participate remotely due to health reasons. Hearing no objections from the Council, Mayor Hansel granted the remote participation. Councilor Ormerod stated that no one was present in the room with him. Councilor Workman led the Pledge of Allegiance.

MINUTES OF THE PRECEDING MEETING

A motion by Councilor Powers to adopt the minutes of the January 5, 2023 meeting as printed was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

ANNOUNCEMENTS

First, Mayor Hansel announced that on Monday, January 30, there will be a Public Information Meeting at Heberton Hall on the Downtown Infrastructure Improvement and Reconstruction Project. There will be an open house between 5:00 PM and 6:00 PM, when the public can come and speak with City Staff and the City's consultants one-on-one. At 6:00 PM, the informational meeting will start with a brief presentation on the project's scope. Following this brief presentation, there will be smaller group discussions on four topic areas, allowing any members of the public who want to learn more to stay and interact with City Staff and members of the City's consultant team. The four topic areas will represent each area of the project: infrastructure, Main Street, Central Square, and the Gilbo Avenue/Railroad Street area. After 30 minutes, participants will be asked to move on to the next topic area. This will allow a participants to be able to learn about each of the pieces of the project. For Councilors who wish to volunteer to assist at this meeting, please arrive by 5:45 PM and let the Public Works, Kurt Blomquist, know of your desire to assist.

Next, on February 21, there will be a second informational meeting, which will be held at the Keene High School auditorium. This session will start at 6:00 PM and conclude at 9:00 PM. At this meeting, City Staff and the City's consultants will lead a presentation on the project. Following the presentation, the public will be invited to approach microphones and provide their thoughts and comments. Mayor Hansel looks forward to seeing all Councilors at these important public meetings. Both of these workshops will be live streamed so the public can watch. If any Councilors have questions concerning either of these events, please direct them to the City Manager.

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Finally, on Tuesday, January 31, there will be a special City Council meeting for the purpose of continuing the evaluation process for the City Charter employees. This meeting will start at 6:00 PM in the Council Chambers. Councilor Powers announced Mayor Hansel's 37th birthday and the Council wished him well.

PRESENTATION OF RETIREMENT RESOLUTIONS – TODD LAWRENCE, TIM BALLANTINE, AND MICHAEL GOODCHILD

Mayor Hansel welcomed former Police Captain, Todd Lawrence (24 years of service), and presented him with a Resolution honoring his retirement. Mr. Goodchild and Mr. Ballantine were not present.

PRESENTATION – COUNTY OF CHESHIRE – UPDATE ON COUNTY EMS SERVICE

Mayor Hansel welcomed County Administrator, Chris Coates, County Commissioner Jack Wozmak and Commissioner Terry Clark, Cheshire EMS Chief, Michael Spain, and Cheshire EMS Deputy Chief, Chad Butler.

Mr. Coates began the presentation by recalling that in 2020, Cheshire County approached the DiLuzio family to see if the County could help them with IV pumps and ventilators using the CARES money that the County received. Ultimately, the County gave DiLuzio approximately \$70,000 for their ambulances. In January 2021, the County asked DiLuzio if they needed more help, which was when DiLuzio asked the County to purchase their company. This was not what the County expected and Mr. Coates said that was never the County's intention. Mr. Coates continued recalling struggles with EMS services outside the City of Keene due to low employment. He said that members of Cheshire County talked about the possibility with Cheshire Medical Center, which asked the County to consider the option. He said that the County also had opportunities with the American Rescue Plan funds of \$14.7 million. He said the County gave \$1 million of those funds back to the cities and towns, \$1 million to non-profits and small businesses. The County worked with the City's Director of Parks and Recreation, Andy Bohannon, and Dan Smith of the Keene YMCA, to give \$10,000 to fund lifeguard certifications so the City's pools, lakes, and ponds could open. Mr. Coates said that Cheshire County felt that was important for local families. He is willing to share the lists that breaks down what the County used the American Rescue Plan funds for.

Mr. Coates continued saying that shortly thereafter, the County decided to move forward negotiating with DiLuzio, which included a non-disclosure agreement that limited what Mr. Coates could say about the matter. The County had multiple attorneys look at different angles of this process because it is labor intensive. As reported in the Sentinel and on the radio, Cheshire County was able to finalize a memorandum of understanding and price, and they worked toward a purchase and sales agreement. Unfortunately, Mr. Coates said the parties were unable to come to agreeable terms.

Thus, Mr. Coates said the County moved forward with creating their own ambulance service because of the need they saw in communities. The facility is completed now and includes a six-bay garage with six ambulances and an office, training area, lounge, showers, bathrooms, and other necessary items. There is also an administrative building with an office, a kitchenette, private two-person bedrooms, a lounge, lockers, showers, bathrooms, and everything else needed to run the program. There is also an existing residence on site that will be used separately from the EMS service and could house traveling EMTs, but it would be used more for traveling nurses at the nursing home or the many traveling licensed nursing assistants. Cheshire County is already renting two properties—one in Keene and one in Westmoreland—for the current nine traveling nurses.

Next, Cheshire EMS Chief Spain, talked about the ambulances and staffing. Chief Spain said that Cheshire EMS currently had three ambulances staffed 24 hours per day at the paramedic level. There is also a fly car, which Chief Spain said is an Explorer equipped with all the paramedic equipment that can arrive on site sometimes before ambulances to hold the scene; Mr. Coates called the fly car a paramedic intercept. Chief Spain said the goal is to have two fly cars operating 24 hours per day. There are currently seven people working 24 hours per day. Chief Spain said there are also two more ambulances that were just certified the day of this meeting. By the time that preparations conclude, they expect to have eight ambulances, with six ambulances working 24 hours per day. Chief Spain continued saying that by March or April 2023, Cheshire EMS would have more than 50 personnel. The idea is to respond to 911 calls quickly with the fly car and then an ambulance. Cheshire EMS would service inter-facility transfers with two ambulances, respond to 911 calls with four ambulances, and keep two ambulances in reserve. The last ambulance arranged would have a bariatric unit and a ramp, which he said is needed to handle portly people without harming the EMTs' backs; this is easier for the patients as well.

Chief Spain continued explaining that prior to his arrival, Cheshire EMS secured a \$200,000 grant, which allowed for hiring more personnel. Chief Spain said the ultimate goal is to set-up an education component; this could include professional education on a monthly basis for Cheshire EMS personnel and anyone else in Cheshire County. Cheshire EMS is applying to the State of NH to allow basic EMTs, "A" EMTs, and paramedics to come to Cheshire EMS or wherever a class is held for State recertification at all three levels; this is the first of its kind in New England, but it is common elsewhere. During the first two months and three days of operation, Chief Spain said there have been 279 calls that were mostly inter-facility transfers to Rikers Island (NY), Boston (MA), Lebanon (NH), and Albany (NY). Cheshire EMS is equipped for anything from these transfers to advanced level calls.

Mayor Hansel noted that Keene already has an ambulance service and he asked how Cheshire EMS was set-up financially so that the costs do not fall on taxpayers. Mr. Coates said that Cheshire EMS is an enterprise fund, which means it is a user fee a lot like for the Regional Prosecutor; he said if you are participating, you pay a certain wage. He said the budget is also developed based on inter-facility transfers. Cheshire EMS has a contract with Cheshire Medical

Center to be their primary provider for inter-facility transfers, which allows the hospital to take in new patients. He agreed with Chief Spain that transfers to Boston and Albany were the most common, and that Cheshire EMS received the \$200,000 grant that is helping with staffing. One thing Mr. Coates hears from people outside of the City of Keene is that individuals must travel for certifications and trainings. Therefore, Cheshire County would like the State of NH to realize that this corner of the State should have some type of educational center so that local EMTs and paramedics do not have to travel two hours for regular trainings/classes to maintain their licenses. Mr. Coates said that more importantly, Cheshire EMS is able to go into communities for events like CPR trainings and stated that such opportunities were largely lost when the Red Cross left the area.

Mr. Coates concluded reminding everyone that he and the other representatives of Cheshire County were only presenting this to the City Council as a courtesy and with the understanding that Keene already has a great EMT program that is taxed to the limit daily. He said they wanted to share how they are moving forward, with is largely based on the 22 towns in the County.

Mayor Hansel thanked the guests for their presentation and for keeping the City Council apprised of this new service. The Mayor knew the guests were working closely with the City Manager, and the Mayor hoped the important collaboration would continue. Mr. Coates said he did not see why it would not continue, calling it a wonderful collaboration right now.

NOMINATIONS – BICYCLE/PEDESTRIAN PATH ADVISORY COMMITTEE; HISTORIC DISTRICT COMMISSION

Mayor Hansel nominated Councilor Andrew Madison to be a regular member of the Bicycle/Pedestrian Path Advisory Committee, with a term to expire December 31, 2025. Mayor Hansel also nominated Gregory Kleiner and Anthony Ferrantello to be regular members of the Historic District Commission, both with terms to expire December 31, 2025. Mayor Hansel tabled the nominations until the next regular meeting.

CONFIRMATIONS – BICYCLE/PEDESTRIAN PATH ADVISORY COMMITTEE; HERITAGE COMMISSION; BUILDING BOARD OF APPEALS; HOUSING STANDARDS BOARD OF APPEALS; CONSERVATION COMMISSION; TRUSTEES OF TRUST FUNDS AND CEMETERY TRUSTEES

Mayor Hansel renominated the following individuals to continue serving on the Bicycle/Pedestrian Path Advisory Committee: Rowland Russell, Michael Davern, and Chris Brehme (Alternate), all with terms to expire December 31, 2025, as well as Jan Manwaring, with a term to expire December 31, 2024. Mayor Hansel renominated the following individuals to continue serving on the Heritage Commission: Marilyn Huston and Louise Zerba (Alternate), both with terms to expire December 31, 2025. Mayor Hansel renominated the following individuals to continue serving on the Building Board of Appeals: Malcolm Katz and Steven Walsh, both with terms to expire December 31, 2025. Mayor Hansel also nominated Corrine Parks for her first term on the Building Board of Appeals and the Housing Standards Board of Appeals, with a term to expire December 31, 2025. Mayor Hansel also renominated Steven Bill

to continue serving on the Conservation Commission, with a term to expire December 31, 2025. Finally, Mayor Hansel nominated Michelle Howard to serve her first term as a regular member of the Trustees of Trust Funds and Cemetery Trustees, with a term to expire December 31, 2025.

A motion by Councilor Powers to confirm the nominations was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

COMMUNICATION – COUNCILOR ROBERT WILLIAMS – CONCERNS WITH LITTERING – EAST KEENE

A communication was received from Councilor Williams, expressing concern regarding an increasing issue with littering in Woodland Cemetery and certain back roads in East Keene. Of particular concern is the potential impact on wetlands along Beaver Brook. Mayor Hansel referred the communication to the Municipal Services, Facilities, and Infrastructure Committee.

PLD REPORT – RULES OF ORDER AMENDMENT – REMOTE PARTICIPATION

A Planning, License, and Development Committee report read on a vote of 3–1, recommending the adoption of the proposed amendments to the Rules of Order relating to remote access. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Giacomo.

Councilor Jones said he voted against this amendment to the Rules of Order because he had been against remote participation since the beginning. He stated that, “If it ain’t broke, don’t fix it.”

Councilor Greenwald wondered if there should have been a different procedure at the beginning of this meeting to allow Councilor Ormerod’s participation. Councilor Greenwald also recalled the City Council previously approving long-term remote participation for Councilor Ormerod. Both the Mayor and City Attorney thought that long-term participation had reached its expiration date and that Councilor Ormerod’s health concern for this meeting was separate. Councilor Ormerod agreed that he was previously granted remote participation for an extended period when he was unable to leave his home due to a medical condition, which was separate from his current illness. He said his health condition had nothing to do with the current Ordinance amendments under consideration. Councilor Greenwald wondered if—at the beginning of this meeting—Mayor Hansel should have given the City Council a chance to object to Councilor Ormerod’s remote participation. Mayor Hansel said concurred that he should have included that opportunity in his comments. The City Attorney said that the reality going forward would be that once the Chair announces the request for remote participation, that anyone with objection would stand and express that; generally, the Council operates by consensus, so if someone wants to object, they should state that. Mayor Hansel agreed and said that with the rules at present, he should have asked for any objections.

Councilor Filiault agreed with Councilor Jones about voting against this in the past. Councilor Filiault was against changing the Rules of Order for anything other than extenuating health circumstances. Councilor Filiault's opinion was that City Councilors should be present at meetings and therefore he would vote in opposition.

On a roll call vote of 12–3, the motion carried. Councilors Jones, Roberts, and Filiault voted in the minority.

PLD REPORT – AD HOC HOUSING STABILITY COMMITTEE – FINAL REPORT

A Planning, Licenses, and Development Committee report read on a vote of 5–0, recommending acceptance of the final report from the Ad Hoc Housing Stability Committee. Councilor Bosley summarized the report that was in the agenda packet, particularly the topics of accessory dwelling units and housing vouchers, and said that the City Manager was already implementing some of the recommendations.

Mayor Hansel thanked all who participated in the work and public participation that went into the Ad Hoc Committee, stating that the report was a good plan to start implementing.

Councilor Jones noted for the public that this report would not be adopted formally by the City Council, they were simply accepting it as informational. Councilor Jones said it was a very good report, but that it included some things people disagree with. Mayor Hansel said that was a good point and explained that this report would give City Staff some direction so they can bring future efforts to the City Council.

Councilor Williams thanked all involved in this long Ad Hoc Committee process. He said there was still a long way to go on ideas that need a lot more support. He added that this was an important issue for many stakeholders who were in the audience and showed up throughout this process. Councilor Williams was proud of his City for showing so much support for the homeless population in Keene. He said Keene has a housing shortage the must be addressed. He agreed that there were good ideas in this report about accessory dwelling units, which he called a very important strategy to bring down the cost of housing. While it would take a lot more work to enact the various pieces of the report, Councilor Williams was confident it could be done.

Councilor Jones recalled that Councilors Workman, Williams, and Lake had initially submitted a joint communication that agendized this topic before the City Council, which resulted in the creation of the ad hoc Committee process. Councilor Jones thought the effort had come a long way since.

Mayor Hansel filed the Ad Hoc Housing Stability Committee report as informational.

FOP REPORT – SPECTRUM SERVICE ISSUES UPDATE

A Finance, Organization, and Personnel Committee report read, recommending accepting the Spectrum service update as informational. Mayor Hansel accepted the report as informational.

FOP REPORT – MISSION STATEMENT, COALITION PRIORITIES AND FUNDING SOURCES – MONADNOCK DIVERSITY, EQUITY, INCLUSION, AND BELONGING COALITION

A Finance, Organization, and Personnel Committee report read, recommending the release of \$10,000 included in the budget for the Monadnock Diversity, Equity, Inclusion & Belonging Coalition. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne.

Councilor Workman stated before the Council acted upon the recommendation, she wanted to advise them that she is the Chair of the Monadnock Diversity, Equity, Inclusion, and Belonging Coalition. In response to an inquiry from the Mayor as to whether she was making any money from the position, Councilor Workman responded she was not making any money. She continued that although she does not believe she has a conflict; she wanted the Council to be aware.

Councilor Greenwald made a motion to find that there is no direct financial compensation implied and therefore no conflict of interest existed for the Councilor. Councilor Lake seconded the motion, which carried unanimously on a roll call vote with 14 Councilors present and voting in favor. Councilor Workman did not vote. The City Council found no conflict of interest.

The motion to carry out the intent of the Committee report carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM – 2022

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept and expend \$6,750 from the Bulletproof Vest Partnership Grant Program funds of the US Department of Justice, Bureau of Justice Programs. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion carried unanimously on a roll call vote with 15 Councilor present and voting in favor.

FOP REPORT – GRANT ACCEPTANCE – CLG GRANT AWARD 2022 – RECOVERING BLACK HISTORY

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to apply for, accept and expend the grant from

the NH Division of Historical Resources (NHDHR) Certified Local Government Grant in the amount of \$16,000 for the Heritage Commission to work with the Historical Society of Cheshire County (HSCC,) as a part of the existing "Recovering Black History" project underway in partnership with the Monadnock Center for History and Culture and the Black Heritage Trail of New Hampshire. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – ACCEPTANCE OF LEAD SERVICE LINE INVENTORY, SAMPLING PLAN, AND REPLACEMENT PLAN GRANT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to apply for, accept and execute a grant from the New Hampshire Department of Environmental Services (NHDES) in the amount of \$50,000 for the Lead Service Line Inventory, Sampling Plan and Replacement Plan Grant. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. Councilor Williams expressed his gratitude to City Staff for going after lead, which he said is very dangerous to children's health. He said that lead is a particular issue on the east side of Keene, where there are a lot of older homes and pipes. The Councilor thought that carrying out the intent of this Committee report would make an important difference. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – REALLOCATION OF FUNDS – WASTEWATER TREATMENT PLANT ROOF PROJECT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to reallocate \$18,000 of remaining fund balance from the Wastewater Treatment Plant Aeration Line Project (32JW002A) to the Wastewater Treatment Plant Roof Project (32JW010A). A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – CHANGE ORDER #1 – ENGINEERING SERVICES FOR WASTEWATER TREATMENT PLANT ROOF PROJECT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute Change Order #1 with Brown and Caldwell Engineers to perform additional engineering services for an amount not to exceed \$4,880 for Contract 04-22-05. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

CITY MANAGER COMMENTS

The City Manager began by reporting that the legislative meeting with the NH Municipal Association is tentatively scheduled for March 1 at 6:00 PM. Once she receives confirmation from NHMA on the date/time, staff would send out the new invites. The City Manager said March 1 is actually a great time for this meeting because it is close to crossover (between the House and Senate) and we can focus on the bills that are still active.

Next, the City Manager talked about lead abatement with the US Department of Housing and Urban Development. The City Manager said she met with the Cheshire County Commissioners this week. They had a lot of questions and concerns about taking on a project of this magnitude. There is another meeting next week between the City Manager, County Administrators for both Sullivan and Cheshire Counties, and Cheshire County's grant writer to see if they can work out some of the details. There is a short turnaround time to decide and complete the grant application, which is due in early March.

In addition, the City Manager said that while she was at the County Commissioners meeting, she took the opportunity to discuss her meetings with the jail about the concern related to dropping homeless individuals being released from the jail (regardless of the jurisdiction that brought them in) on Gilbo Avenue. She said Cheshire County was very receptive to developing a plan to better serve these individuals and they were sensitive to the impacts on the City of Keene. The City Manager has another meeting in the spring to review data, but she was hopeful that they would find a better solution. She would keep the City Council updated.

The City Manager mentioned that as a part of the Capital Improvement Program and City's budget process, she and the City departments began reviewing project numbers this week.

Next, the City Manager provided an update on community power. She met with the project consultants the day of this meeting about possibly launching our community power program in May (depending on pricing). Swanzey, Wilton, and Marlborough would be included in our bid process if they would like to join; they are using the same community power consultants and it would be relatively easy for them to join our bidding process. The mild winter has dramatically dropped the price of natural gas compared to a few months ago, creating a more favorable bidding climate. The process takes several months to complete, including notice to property owners, an opt-out time period, and a public meeting. Therefore, the City Manager said that May would be the soonest we could accomplish the launch. She would report back to the City Council when there is more information.

The City Manager continued explaining a new digital service with the Keene Library offering Hoopla, which is a streaming service that offers audiobooks, eBooks, comics, movies, TV, magazines, or music on computers, tablets, smartphone, and smart TVs. All you need to do is register your email and library card. Hoopla syncs across all your devices, so you can stream titles immediately without holds. Cardholders are allowed five checkouts per month.

The City Manager concluded her report by noting that Amy Kraemer and Gail Zachariah will be presenting at the national American Library Association Conference in New Orleans (January 27–30). Their presentation, “Starting Young: How to Launch Family Making Experiences at the Library,” will share Keene Library’s experiences learned from the Little Makers grant. They will discuss the initial stages of our project and show how programming shifted due to the Covid-19 pandemic. Participants will get a taste of the kinds of activities, prompts, and messaging that we found effective in reaching our littlest makers and their caregivers. The City Manager said one goal is to have participants learn prompts to guide parents and children in early makers programs at their own libraries and to evaluate their programs’ successes.

RESIGNATION – ENERGY AND CLIMATE COMMITTEE

A memorandum read from Senior Planner, Mari Brunner, recommending that the City Council accept the resignation of Linsey Edmunds from the Energy and Climate Committee. A motion by Councilor Powers to accept the resignation with regret and appreciation of Ms. Edmund’s service was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

PB-PLD REPORT – ORDINANCE O-2022-19-A: RELATING TO AMENDMENTS TO THE LAND DEVELOPMENT CODE

A recommendation on behalf of the Joint Planning Board/Planning, Licenses and Development Committee was received. The Planning Board had found Ordinance O-2022-19-A consistent with the Comprehensive Master Plan. The report continued that the Planning, Licenses and Development Committee was requesting that the Mayor set the Public Hearing. Mayor Hansel accepted the report as informational. The Mayor scheduled a public hearing for February 16, 2023, at 7:10 PM.

MORE TIME – REQUESTS TO USE CITY PROPERTY – GATHERING OF THE GOURDS AND TASTE OF KEENE FOOD FESTIVAL

A Planning, Licenses, and Development Committee report read, recommending that the requests for use of City property for the Gathering of the Gourds and the Taste of Keene Food Festival be placed on more time to allow for protocol meetings to be scheduled. Mayor Hansel granted more time.

FOP REPORT – RELATING TO AN APPROPRIATION OF FUNDS FOR THE SOLID WASTE FUND – RESOLUTION R-2023-06

A Finance, Organization, and Personnel Committee report read, recommending the adoption of Resolution R-2023-06. A motion by Councilor Powers to adopt Resolution R-2023-06 was duly

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seconded by Councilor Chadbourne. The motion carried on a unanimous roll call vote with 15 Councilors present and voting in favor.

ADJOURNMENT FOR LEGAL ADVICE

Mayor Hansel adjourned the meeting for legal advice at 8:05 PM.

A handwritten signature in cursive script that reads "William S. Dow".

A true record, attest:

Deputy City Clerk