

MINUTES REGULAR COUNCIL
REYNOLDSBURG CITY COUNCIL
March 22, 2004

President Pro Tempore Lane J. Beougher called the meeting to order at 7:48 p.m.

Members of Council present: Brett Baxter, Preston Stearns, Eric Gilbert, Mel Clemens, Antoinette Newman, Ron Stake.

President of Council William L. Hills was present as Acting Mayor.

The Invocation was given by Mr. Beougher. Mr. Stake led the Pledge of Allegiance.

Minutes of the regular Council meeting held March 8, 2004 were approved without objection.

Mr. Stake removed Item #29, ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 160.03 "SALARY SCHEDULE" Subsections (a) and (b) of CHAPTER 160 EMPLOYEE COMPENSATION, and return to committee. Mr. Stake moved to amend the agenda. The amended agenda was approved with all voting "Aye".

Community Comments and Requests- -Mr. Beougher stated that he has four speaker slips.

Ms. Donna Clifford: Thank you, President Hills. Members of the Council. The agenda that I have for tonight is pedestrian safety. In the area just east of the municipal building, there is a large amount of debris on the sidewalk. Because of this, severe injury has occurred. Also, the safety systems in the area are not functioning properly. The stop walk signs are not functioning as they are timed to do so. And I would like changes to be made to make them much brighter for people to see who are visibly impaired. Also, if needed, audible signs should be used. If there are any questions of this, the Council members may approach me after the Council meeting to speak to me thoroughly. And I would also like this noted to the new Safety Director, Sharon Reichard. Thank you.

Mr. Beougher: Thank you, Donna. Next, I have a request from John Gladstone.

Mr. Gladstone: Good evening. I was here in November and December. I was told to come back because we were going to do our budget at the beginning of the year about our trash monies. I was wondering what is taking so long with our trash monies, and what we're going to do about this.

Mr. Gilbert: Mr. Beougher.

Mr. Beougher: Mr. Gilbert.

Mr. Gilbert: Yes. Thank you. Mr. Gladstone, as I indicated at the Service Committee meeting in December, we were to hold discussion until the budget is completed, which will be this evening. And this will be introduced out of Other Legislation where it has been pending at our very next

Service Committee meeting.

Mr. Gladstone: So we're going to take care of this next meeting? Or this meeting?

Mr. Gilbert: We'll begin discussions on it at the next Service Committee meeting. I believe we're passing the budget tonight. Are we not, Mr. Beougher?

Mr. Beougher: We are going to attempt to. Yes. The next committee meeting is in two weeks. On April 5.

Mr. Gladstone: So _____ come back in two weeks. Thank you.

Mr. Beougher: Thank you. Mr. DeCarlo.

Mr. DeCarlo: For the record, my name is G. Jerome DeCarlo Jr. I currently reside at 643 Smithers Drive. The purpose for my being down here tonight is just to have a brief discussion about some information that was disseminated in the paper regarding the right of a citizen to address this Council. Many individuals on this same Council believe that it is a privilege. And I absolutely disagree with that. It's a privilege for you to serve the members of this community. If my right to vote to elect you to sit on this Council is upheld by the same flag that we pledge allegiance to, then your right, it doesn't exist. It's a privilege for you to sit on this Council. And I believe we need to think about how we can redirect our thought process and actively engage this community. And that's what I've been dealing with. In fact, I just wanted to ask a quick question if I may. Who sponsored this legislation or, it says here "Council may need to consider either removing the comments". Who's idea was that? If that's not too forward of me. Who's idea was that.

Mr. Beougher: I made that statement, Mr. DeCarlo. As I, and Mr. Stake had a discussion with you, what three weeks ago?

Mr. DeCarlo: Umhum.

Mr. Beougher: We are under, operate under state law. And the State of Ohio and the Attorney General have issued an opinion saying that it is the citizens right to attend but not be heard at public meetings. And we're operating under those principles as well as our Charter, and as well as our rules of Council. And that is where those comments came from.

Mr. DeCarlo: Okay. I appreciate you for giving me that information. Now let me take a hard line stance just so everyone up here understands. I will never, ever come down here and have my right taken to be heard. Ever. I don't care if you have a hundred police officers here. You can say whatever you want to say. I have the right to appear here. I pay taxes here. I own a home here. I work in this community. And the last thing that I will allow anyone to do, is dictate to me what I can and cannot say. Thank you.

Mr. Beougher: Thank you, Mr. DeCarlo. The next slip is from Gary Burkholder.

Mr. Burkholder: Thank you members of Council. I wanted, I'm Gary Burkholder, 254 Trail East

in Pataskala. I'm on the Etna Township Trustee Board. I just wanted to address several of the issues that were in the newspaper recently regarding Taylor Road. We're more than happy, the board is, I'm more than happy to meet with members of Council and the Administration regarding Taylor Road. We're equally concerned about the safety on that road. And as I said in the paper several months ago, I had the opportunity to meet with the Mayor. And since that time we haven't had an opportunity with his medical situation to get back together. But we would like to meet with Council and talk about the details of what it takes to correct Taylor Road. One of the main issues was what the cost was going to be. Probably more than a half a year ago we talked about possible Issue 2 money. It's my understanding there's been some discussion about possibly issuing bonds to correct that road. But we're more than willing to have a dialogue and a meaningful discussion with members of Council. So please don't hesitate to give us a call. The other issue deals with the water and sewer and the extension of services. I would ask that Council also meet with us to discuss that as well and reconsider your motion to support that resolution. Our opposition to this has been based on the quality of life, not only of those citizens that live in Etna Township, but also those citizens that live in Reynoldsburg. And to have uncontrolled residential development in that area, which is what is correctly slated for that area, is going to have a devastating impact on our water and sewer district. We currently can service that with water. We currently have a contract with Fairfield County to provide sewer in that area. And if those lost revenues from our water and sewer district occur, it's going to have a devastating impact on our working families that are the Southwest Licking Water and Sewer District. And also on our fixed income seniors in the water and sewer district. A two person family currently pays about \$70 a month for water and sewer. If we lose the projected revenues from that area, it's going to drive those costs up because we're going to have the same amount of debt and costs, but spread over fewer people. The statement that this area could possibly be developed as commercial and industrial, in my opinion is a misstatement. That's not what it's slated for. Anyone that's going to want commercial or industrial development is probably going to go to the Etna Industrial Park. There's no income tax there. There's transportation there. We would like the Council to reconsider this, work with Etna Township, help us preserve our water and sewer district, but also help us as far as our school district. If this has rapid high density residential development, they're going to go to Southwest Licking Schools. And everyone knows that the financial problem we currently have in Southwest Licking Schools. Etna Township supports regional planning. But we believe the first step towards managed growth begins with respecting the autonomy of each political subdivision within that region. So we're more than happy to work with you on regional issues. But we ask that you consider the negative impact that extending those services from Columbus would have on us. One final thing. I think the statement to say that this is possibly going to be commercial or industrial is in conflict with what Councilwoman Patsy Thomas told me back in February. Their concern was that this might go commercial and industrial. Their reason supposedly, their motivation for extending services was to insure that the planning was done, that it wouldn't be commercial that would draw from their commercial base in Columbus. So we have two competing views as to why services should be extended. I thank you. And again, if you have any questions, feel free to call me. Our meetings have been changed. They're going to be the first and third Tuesdays of the month beginning in May. We'll still have the first and third Monday in April. First and third Tuesdays in May. And I hope that we can establish an open dialogue on these issues. Thank you very much.

Mr. Beougher: Thank you Mr. Burkholder.

Reports- -Chief Miller was present. She said it is her honor and privilege to recognize a Reynoldsburg Division of Police member who has retired. She said he will be serving in the Middle East keeping our troops and civilians over there safe. She said he'll be operating a K-9 unit bomb dog. She gave Sargent Tom Tharpe a Certificate of Recognition. Sargent Tharpe introduced his family.

Clerk read motion: That the Safety/Service Director be and is hereby authorized and directed to prepare specifications and advertise for bids for the 2004 Fourth of July fireworks display; bids not to exceed \$25,000 including delivery costs, exhibition and insurance. Mr. Clemens moved adoption. Mr. Stake seconded. All voted "Aye". Motion passed.

Clerk read motion: That the Council of the City of Reynoldsburg does hereby adopt the Resolution in Support of the extension of the Columbus water and sewer services and boundaries, as referred to in the resolution signed and dated March 22, 2004. Mr. Gilbert moved adoption. Mr. Baxter seconded. All voted "Aye". Motion passed.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO AGREEMENT WITH MID OHIO REGIONAL PLANNING COMMISSION (MORPC) TO UPDATE THE REYNOLDSBURG PLANNING GUIDE, APPROPRIATING FUNDS THEREFOR, AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Beougher moved to amend the ordinance by amending Section 1 to replace a period with a semi-colon and adding the words "as amended by Reynoldsburg proposal amendment dated March 15, 2004". Mr. Gilbert seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Beougher moved adoption. Mr. Baxter seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 17-04 adopted.

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR SIDEWALK AND DRIVEWAY APPROACH REPLACEMENT PROJECT, PHASES 4 (SCIP No. 29) and 5 (SCIP No. 30), APPROPRIATING FUNDS THEREFOR, AND DECLARING AN EMERGENCY- -Clerk read ordinance by title for the one required reading. Mr. Clemens moved to amend the ordinance by amending Section 2 to read, "That in order to fund the replacement project referred to in Section 1, an amount of \$822,000 contract amount plus \$74,102.40 contingency, is hereby appropriated in the following manner: From the unappropriated Sidewalk Construction Fund an amount of \$386,700.43 to be appropriated to account number 420.030.5653, and from the unappropriated Capital Improvement Program Fund in the amount of \$435,299.57, be and is hereby transferred to the Sidewalk Construction Fund to be appropriated to account number 420.030.5653". Mrs. Newman seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Clemens moved adoption. Mr. Gilbert seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 18-04 adopted.

ORDINANCE AUTHORIZING MAYOR TO PURCHASE SALT STORAGE STRUCTURE, APPROPRIATING FUNDS THEREFORE; REPEALING ORDINANCE NO. 107-2000; AND DECLARING AN EMERGENCY- - -Clerk read ordinance by title for the one required reading. Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 19-04 adopted.

ORDINANCE AUTHORIZING CONTRACT FOR CONSTRUCTION OF FOUNDATION, ASPHALT PAVEMENT AND EARTHWORK FOR SALT STORAGE STRUCTURE, APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY- - -Clerk read ordinance by title for the one required reading. Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 20-04 adopted.

ORDINANCE RETURNING FUNDS TO THE CAPITAL IMPROVEMENTS PROGRAM FUND from THOSE ORIGINALLY APPROPRIATED FOR PURCHASE OF PERPETUAL NONEXCLUSIVE EASEMENT FROM THE ESTATE OF LENA ROSE CLARK (FRED WILLIAM APPLEMAN, EXECUTOR) (Pleasant View Heights Sanitary Sewer Improvement); REPEALING ORDINANCE NO. 91-03; AND DECLARING AN EMERGENCY- - -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 21-04 adopted.

ORDINANCE ESTABLISHING ADMINISTRATIVE REIMBURSEMENT BY WATER AND SEWER FUNDS TO THE GENERAL FUND AND REPEALING ORDINANCE NO. 31-95 AND DECLARING AN EMERGENCY- - -Clerk read ordinance by title for the one required reading. Mr. Stake moved adoption. Mr. Stearns seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 22-04 adopted.

AMENDED AND RESTATED RESOLUTION OF THE COUNCIL OF THE CITY OF REYNOLDSBURG OF FRANKLIN, FAIRFIELD, AND LICKING COUNTIES, OHIO AND DECLARING AN EMERGENCY (Pick-up Resolution - Existing Pickup - Police Officers and Sergeants)- - -Clerk read resolution by title for the one required reading. Mr. Stake moved to amend the resolution with the following language: "That this resolution is deemed to be an emergency measure for the financial needs of the city, and further that OP&F requires legislation no later than March 31, 2004; wherefore upon adoption by Council this resolution shall be in effect immediately upon signature by the Mayor. Mr. Clemens seconded. All voted "Aye". Motion passed; resolution amended.

Mr. Stake moved adoption. Mr. Gilbert seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Resolution No. 23-04 adopted.

AMENDED AND RESTATED RESOLUTION OF THE COUNCIL OF THE CITY OF REYNOLDSBURG OF FRANKLIN, FAIRFIELD, AND LICKING COUNTIES, OHIO AND DECLARING AN EMERGENCY (Pick-up Resolution - Existing Pickup - Senior Police Management)- - Clerk read resolution by title for the one required reading. Mr. Stake moved to amend the resolution with the following language: "That this resolution is deemed to be an emergency measure necessary for the financial needs of the city and further that OP&F requires legislation no later than March 31, 2004; therefore upon adoption by Council this resolution shall be in effect immediately upon signature by the Mayor". Mr. Clemens seconded. All voted "Aye". Motion passed; resolution amended.

Mr. Stake moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Resolution No. 24-04 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 160 EMPLOYEE COMPENSATION, SECTION 160.02 "AUTHORIZED POSITIONS, PERSONNEL, CLASSIFICATION AND PAY GRADE" Subsection (g)(2)- - Clerk read ordinance by title for the first reading. Mr. Clemens moved to amend the ordinance with the following language: In the title "And declare an emergency". And add emergency language that "This ordinance is deemed to be an emergency measure necessary for the financial needs of the city and further so a new position can be filled; wherefore upon adoption by Council this ordinance shall be in effect immediately upon signature by the Mayor". Mr. Gilbert seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Clemens moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 25-04 adopted.

ORDINANCE AUTHORIZING E.M.H.&T. TO PREPARE SPECIFICATIONS AND ADVERTISE FOR BIDS FOR CLEANING, TELEVISIONING AND ROOT CUTTING OF UP TO 15,000 FEET OF SANITARY SEWER and APPROPRIATING FUNDS THEREFORE- - Clerk read ordinance by title for the first reading. Item referred to Service Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDMENT OF CHAPTER 751 HOME SALES BY ADDITION OF SECTION 751.05 "SPRING CLEAN-UP PERIOD"- - Clerk read ordinance by title for the second reading. Item referred to Safety Committee.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 160 EMPLOYEE COMPENSATION, SECTION 160.02 "AUTHORIZED POSITIONS, PERSONNEL, CLASSIFICATION AND PAY GRADE" SUBSECTION (a) "ADMINISTRATIVE" TO ELIMINATE THE POSITION OF ACCOUNT CLERK I; AND RETURNING MONIES PERTAINING TO POSITION OF ACCOUNT CLERK I TO THE GENERAL FUND **AND DECLARING AN EMERGENCY**- - Clerk read ordinance by title for the second reading. Mr. Stake moved to amend the ordinance as redrafted 3-19-04.

Mr. Clemens seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Stake moved adoption. Mrs. Newman seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 26-04 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 160 EMPLOYEE COMPENSATION, SECTION 160.02 "AUTHORIZED POSITIONS, PERSONNEL, CLASSIFICATION AND PAY GRADE"

Subsections (f) and (g)(4) and (g)(4)(a) **AND DECLARING AN EMERGENCY**- - Clerk read ordinance by title for the third reading. Mr. Stake moved to amend the ordinance as redrafted 3-19-04. Mr. Clemens seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 27-04 adopted.

ORDINANCE AUTHORIZING MAYOR TO PURCHASE ONE 2004 FORD RANGER PICKUP TRUCK FOR THE BUILDING DEPARTMENT- - Clerk read ordinance by title for the third reading. Mr. Clemens moved adoption. Mr. Stearns seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 28-04 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 1111.01 "DEFINITIONS" SUBSECTION (d) OF CHAPTER 1111 GENERAL PROVISIONS; AND ADDITION OF SECTION 1127.11 "EROSION AND SEDIMENT CONTROL PLAN" OF CHAPTER 1127 STANDARDS- - Clerk read ordinance by title for the third reading. Mr. Gilbert moved adoption. Mr. Stake seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 29-04 adopted.

Corrected page for 3-22-04 City of Reynoldsburg City Council Minutes
4-12-04

ORDINANCE TO REPEAL AND REPLACE ORDINANCE NO. 87-03 PASSED OCTOBER 27, 2003 THAT WAIVES COMPETITIVE BIDDING FOR VARIOUS EXEMPTED

CONTRACTS AND EXPENDITURES OVER \$10,000- - Clerk read ordinance by title for the third reading. Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Nay". Motion passed; Ordinance No. 30-04 adopted.

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: CHAPTER 958 STORMWATER CHARGES - Section 958.06 "Equivalent Residential Unit Assignment" - - Clerk read ordinance by title for the third reading. Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 31-04 adopted.

ORDINANCE TO MAKE A FINAL APPROPRIATION FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF REYNOLDSBURG, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2004 AND DECLARING AN EMERGENCY- - Clerk read ordinance by title for the third reading. Mr. Stake moved to amend the ordinance as to the date of 3-19-04. Mr. Clemens seconded. All voted "Aye". Motion passed; ordinance amended.

Mr. Stake moved adoption. Mr. Clemens seconded. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Ordinance No. 32-04 adopted.

Mr. Beougher said there was a request from the City Attorney for an Executive Session concerning pending, and imminent litigation. Mr. Baxter moved to recess for Executive Session; Mr. Stearns seconded. Mr. Beougher said those attending would be City Council, Clerk of Council, Acting Mayor, Chief of Police and Safety/Service Director. With the roll called, members voted: Mr. Baxter "Yea"; Mr. Gilbert "Yea"; Mr. Clemens "Yea"; Mrs. Newman "Yea"; Mr. Beougher "Yea"; Mr. Stake "Yea"; Mr. Stearns "Yea". Motion passed; Council recessed at 8:27 p.m.

Council reconvened at 8:57 p.m. With the roll called, members responding were: Mr. Baxter "Present"; Mr. Gilbert "Present"; Mr. Clemens "Present"; Mrs. Newman "Present"; Mr. Beougher "Present"; Mr. Stake "Present"; Mr. Stearns "Present".

Meeting adjourned at 8:57 p.m.

Lane J. Beougher, President Pro Tempore
of Council

Nancy C. Frazier, Clerk of Council