

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF ELMHURST, ILLINOIS  
HELD ON TUESDAY, JULY 5, 2011  
209 NORTH YORK STREET  
ELMHURST, ILLINOIS**

**EXECUTIVE SESSION 7:00 P.M. – THREATENED/IMMINENT LITIGATION AND COLLECTIVE BARGAINING**

1. Executive session was called to order at 7:00 p.m. by Mayor DiCianni for the purpose of discussing Threatened/Imminent Litigation and Collective Bargaining.

Present: Paula Pezza, Diane Gutenkauf, Norman Leader, Bob Dunn, Dannee Polomsky, Chris Healy, Scott Levin, Steve Morley, Patrick Wagner, Mark A. Mulliner

Absent: Michael J. Bram (arrived at 7:01 p.m.), Kevin L. York, Stephen Hipskind, Jim Kennedy

Also in attendance: City Treasurer Dyer, City Attorney Storino, Interim City Manager Kopp

Alderman Morley moved to convene into executive session for the purpose of discussing Threatened/Imminent Litigation and Collective Bargaining. Alderman Bram seconded. Roll call vote:

Ayes: Morley, Bram, Polomsky, Healy, Levin, Wagner, Mulliner, Pezza, Gutenkauf, Leader, Dunn

Nays: None

11 ayes, 0 nays, 3 absent

Motion duly carried

Alderman Gutenkauf moved to adjourn executive session. Alderman Morley seconded. Voice vote. Motion carried. Executive session adjourned at 7:19 p.m.

**CALL TO ORDER/ /PLEDGE OF ALLEGIANCE/ROLL CALL/ NATIONAL ANTHEM**

Attendance: 12

2. The Regular Meeting of the Elmhurst City Council was called to order by Mayor DiCianni at 7:34 p.m. Jena Williams, from the Spirito Singers sang the Star-Spangled Banner in celebration of our nation's birthday on the 4<sup>th</sup> of July.

Present: Paula Pezza, Diane Gutenkauf, Norman Leader, Bob Dunn, Michael J. Bram, Dannee Polomsky, Stephen Hipskind, Chris Healy, Scott Levin, Steve Morley, Patrick Wagner, Mark A. Mulliner

Absent: Kevin L. York, Jim Kennedy

Also in Attendance: City Treasurer Dyer, City Attorney Storino, Interim City Manager Kopp, Police Chief Neubauer

**RECEIPT OF WRITTEN COMMUNICATIONS AND PETITIONS FROM THE PUBLIC**

3. None.

**PUBLIC FORUM**

4. Claude Pagacz  
566 W. Gladys Ave.  
Elmhurst, IL 60126

Referenced the newspaper article regarding the City having problems with the IL EPA. He also spoke regarding the elevation of structures in town.

Tim Sheehan  
246 Highview Ave.  
Elmhurst, IL 60126

Invited the community to the 5<sup>th</sup> Annual Vintage Baseball Game, to be held on Sunday, July 17, 2011 in Berens Park at 1:00 p.m. The game is played by the rules of 1850 and the event is co-

sponsored by the Elmhurst Historical Museum, Elmhurst Heritage Foundation and the Elmhurst Park District. Information is available at [www.elmhursthhistory.org](http://www.elmhursthhistory.org) and [www.epd.org](http://www.epd.org).

Todd Benson  
391 River Glen  
Elmhurst, IL 60126

Thanked the City for the clean-up from the recent storms. He invited the Council to the Graue Woods Block Party, September 3, 2011 at 6:00 p.m. He stated that area needs to be on the 2012 new pavement schedule. He announced Thursdays are Music at the Gazebo on Spring Road and on September 11, 2011 there will be an Elmhurst Remembers Ceremony at 1:00 p.m. complete with unveiling of a 9-11 Monument. Lastly, he brought new signage for the Farmer's Market and spoke regarding a parking issue on the southside of Vallette.

Darlene Heslop  
200 N. Michigan Ave. #227  
Elmhurst, IL 60126

Spoke regarding proposed building height changes in town and requested a PowerPoint presentation explaining it, stating a presentation would be in the best interest of the community.

**CONSENT AGENDA**

5. The following items on the Consent Agenda were presented:
  - a. MINUTES OF THE REGULAR MEETING HELD ON MONDAY, JUNE 20, 2011 (City Clerk Spencer):  
Approve as published
  - b. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, JUNE 20, 2011 (City Clerk Spencer):  
Receive and place on file
  - c. MINUTES OF THE EXECUTIVE SESSION HELD ON MONDAY, JUNE 27, 2011 (City Clerk Spencer):  
Receive and place on file
  - d. ACCOUNTS PAYABLE – JUNE 30, 2011 TOTAL \$ 3,140,604.48
  - e. BID RESULTS, 2011 CONCRETE PAVEMENT PATCHING (Clerk Spencer): Refer to the Public Works and Buildings Committee

June 30, 2011

TO: Mayor DiCianni and Members of the City Council  
RE: Bid Results, 2011 Concrete Pavement Patching

In response to an invitation to bid for the 2011 Concrete Pavement Patching, Project No. 11-09 the City of Elmhurst advertised in the Elmhurst Independent on Wednesday, June 16, 2011, bids were received from eight contractors. All bid packages were complete.

Bids were opened at 10:00 a.m. on Tuesday, June 28, 2011 by the City Clerk. The following is a summary of the bids received:

<u>Contractor</u>	<u>Total Price</u>
Kings Point General Cement, Inc., Bensenville, IL	\$105,350.00
C-A Cement Construction, Co. Inc., Bloomington, IL	\$136,370.00

D'Land Construction, L.L.C., \$136,999.98  
Bensenville, IL

Schroeder & Schroeder, Inc., \$148,300.00  
Skokie, IL

Greg Greenhill Construction Co., Inc., \$150,721.00  
Ringwood, IL

G & M Cement Construction, Inc., \$151,015.00  
Addison, IL

Globe Construction, Inc., \$208,250.00  
Addison, IL

Landmark Contractors, Inc., \$260,185.00  
Huntley, IL

Respectfully submitted,  
/s/ Patty Spencer  
City Clerk

- f. INCOME-GENERATING RECYCLING DAY – ALDERMAN POLOMSKY (Interim City Manager Kopp):  
Refer to the Public Works and Buildings Committee

June 28, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Income-generating Recycling Day – Ald. Polomsky

It is respectfully requested that the attached memo from Alderman Polomsky regarding implementing a special recycling day be referred to the Public Works and Buildings Committee for review and recommendation back to the City Council.

Respectfully submitted,  
/s/ Michael D. Kopp  
Interim City Manager

- g. SOUTH YORK BUSINESSES AND VALET PARKING REQUEST (Interim City Manager Kopp): Refer to the Public Affairs and Safety Committee

June 28, 2011

To: Mayor DiCianni and Members of the City Council  
Re: South York Businesses and Valet Parking Request – Mr. Frank Catalano

It is respectfully requested that the attached request from Mr. Frank Catalano be referred to the Public Affairs and Safety Committee for review and recommendation back to the City Council.

Respectfully submitted,  
/s/ Michael D. Kopp  
Interim City Manager

- h. REPORT – RADIO CONTROL CAR RACE – AL'S HOBBY SHOP The following report of the Public Affairs & Safety Committee was presented for passage:

June 27, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Radio Control Car Race – Al's Hobby Shop

The Public Affairs and Safety Committee met on June 27, 2011 to discuss the request from Al's Hobby Shop to hold a radio control car race on Sunday, July 10, 2011. A representative from Al's Hobby Shop was available to answer the Committee's questions.

Set-up of the race will take place at 6:30 a.m. the day of the event. The races will commence at 10:00 a.m. on Sunday, July 10, 2011, in the Schiller Court parking lot until approximately 7:00 p.m.

Proof of insurance will be provided to and approved by the City Attorney prior to the event.

All layout/staging plans and operational parameters will be finalized only after consultation and discussion with the approval of the Elmhurst Police, Fire and Public Works Departments.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the City Council approve Al's Hobby Shop's request to hold a radio control car race on Sunday, July 10, 2011 with set-up commencing at 6:30 a.m., racing commencing at 10:00 a.m. and lasting until approximately 7:00 p.m. and that the Council suspend the rules to allow passage of the appropriate ordinance on the same night.

Respectfully submitted,  
Public Affairs and Safety Committee  
/s/ Patrick Wagner  
Chairman  
/s/ Paula Pezza  
Vice-Chairman  
/s/ Michael J. Bram

- i. REPORT – MUSEUM COORDINATOR REPORT The following report of the Public Affairs & Safety Committee was presented for passage:

June 29, 2011

To: Mayor DiCianni and Members of the City Council  
Re: Museum Coordinator Position – Historical Museum

The Public Affairs and Safety Committee met on Monday, June 27, 2011 to review a proposal to fill a Museum Coordinator position at the Historical Museum (see attached job posting).

This position is responsible for operation of the museum during public gallery hours on Saturdays and Sundays. The hours are 1:00 p.m. to 5:00 p.m. on Saturdays and Sundays with a few additional hours scattered throughout the year for staff orientation and training or museum programs. Benefits are not provided for this position. The position is open due to the resignation of an employee.

The Museum Coordinator operates the museum on Saturdays and Sundays with assistance from a volunteer. The Museum Coordinator also assists as necessary with public programs taking place at the museum on Saturdays and Sundays. Customer service and communication skills are required to carry out the duties of this position.

The Committee felt this position is necessary for the operation of the museum. Funds for the position are provided in the FY 11/12 budget in account number 110-7060-451- 10-02.

It is, therefore, the recommendation of the Public Affairs and Safety Committee that the position of Museum Coordinator be filled by a qualified applicant.

Respectfully submitted,  
Public Affairs and Safety Committee

/s/ Patrick Wagner

Chairman

/s/ Paula Pezza

Vice-Chairman

/s/ Michael J. Bram

- j. REPORT – RENEWAL OF LINE OF CREDIT LOAN COMMITMENT The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

June 28, 2011

To: Mayor DiCianni and Members of the City Council

Re: Renewal of Line of Credit Loan Commitment

The Finance, Council Affairs and Administrative Services Committee met June 27, 2011, to review renewal of the \$4.5 million line of credit loan commitment.

In 1994, the City Council approved a five-year, \$4.5 million line of credit with Fifth Third Bank (then Old Kent Bank) to fund land purchases in the Industrial Development TIF (TIF II), specifically on the south side of Lake Street west of Walnut. Due to the amount and timing of property tax increment receipts, it was necessary to extend the line of credit in 1999 and 2002. With the 2002 extension, the City Council approved expanding the use of the line of credit, if necessary, to fund projects in TIF I (Downtown Redevelopment TIF) and TIF III (Rt. 83 & St. Charles Commercial Development TIF), in addition to TIF II. The line of credit was extended a third time in 2005, due to the surplus that was declared and distributed from TIF II in fiscal 2005, which required use of all available cash balances in TIF II and required a loan of \$375,000 from the Working Cash Fund. The loan from the Working Cash Fund was repaid in fiscal 2007. The line of credit was again renewed in 2008 due to an outstanding balance at that time of \$3,634,300.94, of which \$684,300.94 was attributable to TIF II for the land purchases and \$2,950,000 was attributable to TIF I for the purchase of 242 N. York Street.

The current line of credit expires July 31, 2011 (see attached Fourth Loan Modification Agreement). The outstanding balance as of April 30, 2011 was \$1,450,000, which was attributable to TIF I. The balance has been repaid with TIF I property tax receipts in June 2011.

Recently, banking services proposals were requested and received and staff is in the process of reviewing the responses. In the interim, staff recommends a three-month extension of the line of credit to October 31, 2011. All other terms remaining the same as specified in the Fourth Loan Modification Agreement except the line of credit will now carry an adjustable interest rate based on the three-month Libor (London Interbank Offered Rates) rate plus 46.66 basis points instead of the six-month Libor rate plus 46.66 basis points. Staff has reviewed the interest rate with Speer Financial, Inc., the City's financial advisors, who indicated that the Libor rate remains a commonly used rate for loans of this nature, and Speer concurred with staff position that the three-month Libor plus 46.66 basis points is a reasonable rate for short-term borrowing. An alternative short-term borrowing option would be a taxable bond issue, which carries a higher interest rate and is less flexible.

After discussion, it was the consensus of the Finance Committee to recommend a three-month extension to the line of credit loan commitment.

It is, therefore, the consensus of the Finance, Council Affairs and Administrative Services Committee that the City Council direct the City Attorney to prepare the documents necessary to renew the current \$4.5 million line of credit with Fifth Third Bank with an adjustable interest rate based on the three-month Libor rate plus 46.66 basis points and extending the maturity date three months to October 31, 2011.

Respectfully submitted,  
Finance, Council Affairs and  
Administrative Services Committee  
/s/ Stephen Hipskind  
Chairman  
/s/ Kevin York  
Vice-Chairman  
/s/ Mark Mulliner  
/s/ Scott Levin

- k. REPORT – EMERGENCY EXPENDITURE AUTHORITY, CONTRACT SERVICES FOR JUNE 2011 STORM CLEAN-UP USE OF CONTINGENCY ACCOUNT The following report of the Finance, Council Affairs & Administrative Services Committee was presented for passage:

June 30, 2011

To: Mayor DiCianni and Members of the City Council  
From: Michael Kopp, Interim City Manager  
Re: Emergency Expenditure Authority, Contract Services for June 2011 Storm Cleanup Use of Contingency Account

In accordance with Elmhurst Municipal Code Chapter 3, Section 3.02, 16(d), your authorization is requested to allow for the contracting of Allied Waste and other services (and in accordance to their City Council approved proposal for waste services for the City of Elmhurst) for equipment and personnel to assist in the pickup of June 2011 storm-related debris. Contract services with Allied and other vendors are anticipated to be in excess of \$20,000.

In addition, per Elmhurst Municipal Code Chapter 3, Section 3.19(g), your approval is requested to charge emergency cleanup expenditures to contingency account # 110-0085-417-60-12.

Respectfully submitted,  
Finance, Council Affairs and  
Administrative Services Committee  
/s/ Stephen Hipskind  
Chairman  
/s/ Kevin York  
Vice-Chairman  
/s/ Mark Mulliner  
/s/ Scott Levin

- l. REPORT – PROPOSED ZONING ORDINANCE TEXT AMENDMENT –ELMHURST ZONING ORDINANCE SECTION 3.10 The following report of the Development, Planning & Zoning Committee was presented for passage:

June 28, 2011

TO: Mayor DiCianni and Members of the City Council  
RE: Proposed Zoning Ordinance Text Amendment –Elmhurst Zoning Ordinance Section 3.10

The Development, Planning and Zoning Committee met on June 27, 2011 to discuss a request from City Staff to clarify text in Section 3.10 of the Elmhurst Zoning Ordinance regarding the legal notification requirements for map and/or text amendments to the Zoning Ordinance.

Illinois State Statute requires that a notice of Public Hearing be placed in a local newspaper for a zoning ordinance text amendment. The City of Elmhurst, pursuant to Section 3.10-4, "...shall hold public hearings in accordance with existing procedures and in accordance with the Revised Statutes of the State of Illinois." The City of Elmhurst complies with State Statute and has a notice of public hearing published in a local newspaper.

Illinois State Statute requires that amendments to the zoning map (re-zoning) be noticed in a local newspaper as well as notification by mail to all properties within 250 feet of the property, or properties, that are the subject of the map amendment. The City of Elmhurst Zoning Ordinance complies with the State Statute, and has, since 1992, increased the mailing area to 500 feet.

Section 3.10-5 of the Elmhurst Zoning Ordinance states "Notice of time and place of such hearing shall be published at least once in a newspaper of general circulation within the City of Elmhurst not more than 30 days nor less than 15 days before such hearing. In addition, notices shall be sent by first class mail, postage prepaid, to all owners (as determined from current real estate tax records) of property located within 500 feet of any lot line of the property included in the proposed amendment".

The last sentence of the above paragraph fails to distinguish between the legal notice requirements for notice of public hearing for map amendments as opposed to text amendments. It is therefore, the recommendation of the Development, Planning and Zoning Committee that the City Council authorize City staff to apply for, and the Zoning & Planning Commission to hold a public hearing on text amendments to the Zoning Ordinance regarding legal notice and publication requirements for a Zoning Ordinance map and/or text amendment.

Respectfully submitted,  
Development, Planning and Zoning Committee  
/s/ Steven Morley  
Chairman  
/s/ Dannee Polomsky  
Vice-Chairman  
/s/ Norman Leader

- m. O-28-2011 – AN ORDINANCE TO APPROVE AN EASEMENT AGREEMENT BY AND BETWEEN THE CITY OF ELMHURST AND THE COMMUTER RAIL DIVISION OF THE REGIONAL TRANSPORTATION AUTHORITY (METRA)

Ordinance O-28-2011 was presented for passage.

- n. O-29-2011 – AN ORDINANCE AUTHORIZING THE PURCHASE OF A REPLACEMENT RETURN ACTIVATED SLUDGE PUMP FOR THE ELMHURST WASTEWATER RECLAMATION FACILITY

Ordinance O-29-2011 was presented for passage.

- o. MCO-08-2011 – AN ORDINANCE ESTABLISHING WASTEWATER TREATMENT RATES FOR PRIVATE WELL USERS

Ordinance MCO-08-2011 was presented for passage.

- p. MCO-09-2011 – AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE CITY OF ELMHURST BUILDING CODE

Ordinance MCO-09-2011 was presented for passage.

- q. ZO-04-2011 – AN ORDINANCE GRANTING A WALL SIGN VARIATION FOR THE PURPOSE OF INSTALLING SEVEN (7) WALL SIGNS ON THE PROPERTY COMMONLY KNOWN AS 538 WEST ST. CHARLES ROAD (PIN 06-10-211-026)

Ordinance ZO-04-2011 was presented for passage.

- r. R-22-2011 – A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A FIRST AMENDED AND RESTATED DECLARATION OF TRUST FOR THE ILLINOIS METROPOLITAN INVESTMENT TRUST

Resolution R-22-2011 was presented for passage.

- s. R-23-2011 – A RESOLUTION TO APPROVE AND AUTHORIZE THE EXECUTION OF A CONSTRUCTION ENGINEERING SERVICES AGREEMENT BY AND BETWEEN TRANSYSTEMS CORPORATION AND THE CITY OF ELMHURST FOR PHASE III OF THE SPRING ROAD LAPP IMPROVEMENTS

Resolution R-23-2011 was presented for passage.

- t. R-24-2011 – A RESOLUTION TO APPROVE AND AUTHORIZE THE EXECUTION OF A CONSTRUCTION ENGINEERING SERVICES AGREEMENT BY AND BETWEEN TRANSYSTEMS CORPORATION AND THE CITY OF ELMHURST FOR PHASE III OF THE WEST AVENUE LAPP IMPROVEMENTS

Resolution R-24-2011 was presented for passage.

- u. R-25-2011 – A RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF ELMHURST AND THE ELMHURST PROFESSIONAL FIREFIGHTERS ASSOCIATION, IAFF LOCAL 3541

Resolution R-25-2011 was presented for passage.

Alderman Healy pulled item **5i. Report – Museum Coordinator Report** from the consent agenda.

Alderman Wagner moved to approve the contents of the Consent Agenda. Alderman Dunn seconded. Roll call vote:

Ayes: Wagner, Dunn, Bram, Polomsky, Hipskind, Healy, Levin, Morley, Mulliner, Pezza, Gutenkauf, Leader

Nays: None

Results: 12 ayes, 0 nays, 2 absent  
Motion duly carried

Alderman Wagner moved to approve item **5i. Report – Museum Coordinator Report**. Alderman Healy seconded.

Alderman Healy stated he pulled item **5i. Report – Museum Coordinator Report** to table the motion to a time certain until City Manager Grabowski comes on board full time.

Alderman Healy stated he read the report and he had a concern with hiring a person even if its part-time due to the Council's hiring freeze and City Manager Grabowski beginning as City Manager next week. He stated the new City Manager should be in on hiring discussions.

Mayor DiCianni recognized Alderman Wagner.

Alderman Mulliner, point of order, this is a motion which requires a second. Alderman Mulliner seconded Alderman Healy's motion.

Alderman Wagner stated City Manager Grabowski was in attendance at the last Public Affairs & Safety Committee meeting where this item was discussed. The PA&S Committee fully understands the hiring freeze but realized the importance of the job in order for the museum to stay open.

Alderman Pezza asked Interim City Manager Kopp if anyone had been interviewed or hired.

Interim City Manager Kopp replied the process is in the early stages and job offer has been made.

Discussion ensued regarding hiring the part-time position.

Alderman Morley, point of clarification, is the motion debatable at this time.

Discussion ensued regarding the motion.

Alderman Healy stated he would amend the motion to the 1<sup>st</sup> Council meeting in September. Alderman Mulliner seconded.

Discussion continued regarding hiring the position.

Alderman Wagner stated he would bring the report back to committee.

City Attorney Storino stated first the motions on the table have to be dealt with, or two members of the PA&S Committee can agree to withdraw the report back to committee.

Alderman Mulliner stated he will withdraw the second on the motion if the report goes back to committee.

Alderman Wagner stated he would send it back to committee.

Mayor DiCianni stated item **5i. Report – Museum Coordinator Report** will go back to the Public Affairs & Safety Committee for further review.

#### **REPORTS AND RECOMENDATIONS OF APPOINTED AND ELECTED OFFICIALS**

##### 6. a. UPDATES (Mayor DiCianni)

Mayor DiCianni reported the Western Access Report from the Mayor's along the bypass corridor has gone to the Governor's Office.

Mayor DiCianni announced tomorrow, July 6, 2011, Governor Quinn will be signing HB1610 at 10:00 a.m. outside of City Hall.

Alderman Bram asked for a follow-up report with the changes on the western access project to be forwarded to the City Council.

Mayor DiCianni stated this will have a big effect on Elmhurst. He stated federal money and the City of Chicago will be asked to fund this project.

Alderman Muilliner stated he agreed with Alderman Bram, Council should have a copy of what the Governor's Office will be looking at.

Mayor DiCianni stated the report will be sent to the Council.

##### b. STATUS OF JUNE 2011 STORM CLEAN-UP (Interim City Manager Kopp)

Interim City Manager Kopp reported the entire town was hit hard by the most recent storm event. He stated different crews for pick-up will be sent out according to the type of damage. He stated Public Works personnel have been working 12 hours on, 12 hours off.

Several Aldermen stated their concerns regarding their ward and the clean-up schedule.

**ORDINANCES**

7. a. O-31-2011 – AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE LICENSE AGREEMENT BY AND BETWEEN AL’S HOBBY SHOP, INC. AND THE CITY OF ELMHURST, DUPAGE AND COOK COUNTIES, ILLINOIS

Ordinance O-31-2011 was presented for passage.

Alderman Healy moved to accept item **7a. O-31-2011 - An Ordinance Approving and Authorizing the Execution of a Non-Exclusive License Agreement by and Between Al’s Hobby Shop, Inc. and the City of Elmhurst, DuPage and Cook Counties, Illinois.** Alderman Wagner seconded. Roll call vote:

Ayes: Healy, Wagner, Mulliner, Pezza, Gutenkauf, Leader, Dunn, Bram, Polomsky, Hipskind, Levin, Morley

Nays: None

Results: 12 ayes, 0 nays, 2 absent  
Motion duly carried

**OTHER BUSINESS**

10. Alderman Pezza thanked the City staff for installing the sidewalk at Alma and Elm Park. She stated it was a team effort with CNRR. She thanked Public Works, Director Hughes, Interim City Manager Kopp and Mayor DiCianni for making this happen.

**ANNOUNCEMENTS**

11. Mayor DiCianni announced the ECAF Golf Outing will be held on August 1, 2011 and the YMCA Golf Outing will be held July 16, 2011. He stated check the YMCA’s website for details.

Mayor DiCianni stated there will be a Stormwater Task Force meeting on Monday, July 18, 2011.

**ADJOURNMENT**

12. Alderman Gutenkauf moved to adjourn the meeting. Alderman Morley seconded. Voice vote. Motion carried. Meeting adjourned 8:35 p.m.

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Peter P. DiCianni III, Mayor

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Patty Spencer, City Clerk