

Council Caucus Room
September 24, 2012 6 p.m.

An Open Meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman, Executive Director of Finance & Enterprise; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations, Transit & Emergency Services; Ms. D. Jaques, General Manager of Legal & Realty Services/City Solicitor; Mr. S. Worsfold, Deputy City Solicitor; and Mr. B. Labelle, City Clerk

- 1. Moved by Councillor Hofland
Seconded by Councillor Piper
THAT the Council of the City of Guelph now hold a meeting that is closed to the public with respect to:

Litigation Update

S. 239 (2) (e) of the *Municipal Act* – litigation or potential litigation.

Carried

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Mayor

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Clerk

Council Caucus Room
September 24, 2012 6:01 p.m.

A Closed Meeting of Guelph City Council.

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman, Executive Director of Finance & Enterprise; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations, Transit & Emergency Services; Ms. D. Jaques, General Manager of Legal & Realty Services/City Solicitor; Mr. S. Worsfold, Deputy City Solicitor; and Mr. B. Labelle, City Clerk

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

There were no disclosures.

Mr. S. Worsfold, Deputy City Solicitor provided an update on a litigation matter.

- 1. Moved by Councillor Findlay
Seconded by Councillor Burcher
THAT the report of the Deputy City Solicitor with respect to a litigation update, be received for information.

Carried

- 2. Moved by Councillor Burcher
Seconded by Councillor Findlay
That the closed meeting of Guelph City Council of September 24, 2012 be adjourned.

Carried

The meeting adjourned at 6:26 p.m.

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Mayor

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Clerk
Council Chambers

September 24, 2012 7:00 p.m.

An Open Meeting of Guelph City Council

Present: Mayor Farbridge, Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond and Wettstein

Staff Present: Ms. A. Pappert, Chief Administrative Officer; Mr. M. Amorosi, Executive Director of Corporate & Human Resources; Ms. C. Bell, Executive Director of Community & Social Services; Mr. A. Horsman, Executive Director of Finance & Enterprise; Dr. J. Laird, Executive Director of Planning & Building, Engineering and Environment; Mr. D. McCaughan, Executive Director of Operations, Transit & Emergency Services; Mr. B. Labelle, City Clerk; and Ms. J. Sweeney, Council Committee Co-ordinator

DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

Councillor Burcher declared a possible pecuniary interest with regards to PBEE-36, Habitat for Humanity funding request for 26 and 28 Huron Street and 439 York Road project because she serves as a Director of the Board and did not discuss or vote on the matter.

1. Moved by Councillor Findlay
Seconded by Councillor Kovach

THAT the minutes of the Council meetings held on July 23 and September 4, 2012 and the minutes of Closed Meetings of Council held on July 23, September 4 and 5, 2012 be confirmed as recorded and without being read.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST (0)

Carried

CONSENT REPORTS AND AGENDAS

Councillor Dennis presented the Community & Social Services Committee Third Consent Report.

2. Moved by Councillor Dennis
Seconded by Councillor Van Hellemond

THAT the balance of the September 24, 2012 Community & Social Services Committee Third Consent Report as identified below, be adopted:

a) **Designated Municipal Home for Long-Term Care Project**

Ms. C. Bell

THAT Council directs staff to report back on the range of possible options that meet the criteria for our designated Long Term Care Home.

b) **Community Investment Strategy Phase 2**

Ms. C. Bell

THAT Committee approve the Community Investment Strategy Strategic Policy Framework and implementation of the five new community investment mechanisms;

AND THAT Committee delegate authority to the Executive Director of Community and Social Services to approve the 2013 grants as part of the Interim Community Wellbeing Grant Program implementation;

AND THAT staff report back on the Terms of Reference for a new Community Wellbeing Grant Allocation Committee of Council for approval in 2012;

AND THAT staff be authorized to develop, and report back annually or case by case, as required on the status of new community benefit agreements with accompanying transition plans for existing service agreements that expire in 2012 and 2013;

AND THAT staff be directed to provide detailed implementation plans for Facility Discounts and the Innovation Fund mechanisms in 2013.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST (0)

Carried

The following item was extracted from the Corporate Administration, Finance & Enterprise Committee Sixth Consent Report to be voted on separately:

- CAFE-35 Corporate Technology Strategic Plan
Councillor Findlay presented the Operations, Transit & Emergency Services Committee Eighth Consent Report.

3. Moved by Councillor Findlay
Seconded by Councillor Van Hellemond
THAT the balance of the September 24, 2012 Operations, Transit & Emergency Services Committee Eighth Consent Report as identified below, be adopted:

a) **Public Nuisance By-law**

Mr. D. McCaughan

THAT the Operations, Transit & Emergency Services Committee Report # OT091235 regarding the establishing of a Public Nuisance Bylaw dated September 17, 2012 be received;

AND THAT Council approve the need for a Public Nuisance Bylaw in principle and direct staff to conduct public consultation on the draft Public Nuisance Bylaw.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST (0)

Carried

The following items were extracted from the Planning & Building, Engineering and Environment Committee Eighth Consent Report to be voted on separately:

- PBEE- 33 Mixed-Use Nodes Urban Design Concept Plans: Watson Parkway/Starwood and Paisley/Imperial Community Mixed Use Nodes
- PBEE-36 Habitat for Humanity Funding Request for 26 and 28 Huron Street and 439 York road Projects
- PBEE-39 Sign By-law Variances for 1291 Gordon Street

Councillor Piper presented the balance of the Planning & Building, Engineering and Environment Committee Eighth Consent Report.

4 Moved by Councillor Piper
Seconded by Councillor Burcher
THAT the balance of the September 24, 2012 Planning & Building, Engineering and Environment Committee Eighth Consent Report as identified below, be adopted:

a) **Final Report of GCA Management Consultants: Integrated Operational Review of Planning, Building, Engineering and Enterprise Services and the Development Review Process**

Dr. J. Laird
Mr. A. Horsman

THAT the staff report regarding the final report of GGA Management Consultants: Integrated Operational Review of Planning, Building, Engineering and Enterprise Services and the Development Review Process, dated September 17, 2012 be received;

AND THAT staff report back with key performance and implementation indicators, comparator benchmarks and scorecard targets to monitor the success of implementation of the recommendations of the final report of GGA Management Consultants.

b) **Heritage Planning: Annual Activity Report and Four Year Work Plan Update**

Dr. J. Laird
Mr. St. Robinson

THAT the Planning, Building, Engineering and Environment report 12-58, regarding the Heritage Planning: Annual Activity Report and Four Year Work Plan Update, dated September 17, 2012, be received;

AND THAT Heritage Guelph be requested to report to Council on financial mechanisms utilized in other communities best practices to support the maintenance and restoration of heritage properties;

AND THAT staff be directed to conduct an orientation session for Council in consultation with Heritage Guelph.

c) **180 Gordon Street Brownfield Tax Increment-Based Grant Upset Limit Increase Request**

Dr. J. Laird
Mr. A. Horsman

THAT Planning, Building, Engineering and Environment Report #12-75 dated September 17, 2012 regarding 180 Gordon Street Brownfield Tax Increment-Based Grant Upset Limit Increase Request, be received;

AND THAT the request by 180 Gordon Street Ltd. for a Tax Increment-Based Grant pursuant to the Brownfield Redevelopment Community Improvement Plan be approved to a new upset limit of \$294,000 subject to criteria outlined in the Brownfield Redevelopment CIP, and provided that an agreement to implement the new upset limit is executed within six months of Council approval;

AND THAT staff be directed to finalize an amendment to the Tax Increment-Based Grant agreement between the City and 180 Gordon Street Ltd. dated January 6, 2012, to the satisfaction of the General Manager of Planning Services, the General Manager of Legal and Realty Services/City Solicitor, and the City Treasurer;

AND THAT the Mayor and Clerk be authorized to execute the amendment to the Tax Increment-Based Grant Agreement.

d) **Sign By-law Variance for 101 Clair Road East (Good Life Fitness)**

Dr. J. Laird
Mr. B. Poole

THAT Planning, Building, Engineering and Environment report dated September 17, 2012 regarding a sign variance for 101 Clair Road East be received;

AND THAT the request for a variance from the Sign By-law for 101 Clair Road East to permit building signage for Good Life Fitness on the second floor elevation be approved.

e) **Sign By-law Variance for 226 Speedvale Avenue West (Guelph Aromatherapy Studio)**

Dr. J. Laird
Mr. B. Poole

THAT Planning, Building, Engineering and Environment report dated September 17, 2012 regarding a sign variance application for 226 Speedvale Avenue West be received;

AND THAT the request for a variance from the Sign By-law for 226 Speedvale Avenue West to allow six mobile sign permits per year in lieu of the permitted four per year for Guelph Aromatherapy Studio be refused.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST (0)

Carried

Habitat for Humanity Funding Request for 26 and 28 Huron Street and 439 York Road Projects

5. Moved by Councillor Piper
Seconded by Councillor Guthrie

Dr. J. Laird
Mr. A. Horsman
Ms. C. Bell

THAT Planning, Building, Engineering and Environment Report #12-76 dated September 17, 2012 regarding a request for Funding by Habitat for Humanity for 26 & 28 Huron Street and 439 York Road projects be received; AND THAT the request for funding by Habitat for Humanity Wellington County be approved in the form of grants totaling \$69,063;

AND THAT staff be directed to finalize agreements to implement the grants with Habitat for Humanity

Wellington County to the satisfaction of the General Manager of Planning Services, the City Solicitor and the Chief Financial Officer;

AND THAT the Mayor and Clerk be authorized to sign the agreements.

VOTING IN FAVOUR: Councillors Bell, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST (0)

Councillor Burcher did not vote due to her declared potential pecuniary interest.

Carried

Consent Agenda

The following item was extracted from the September 24, 2012 Consent Agenda to be voted on separately:

- A-3 Municipal Support for Local Renewable Energy Projects

6. Moved by Councillor Kovach
Seconded by Councillor Findlay

THAT the balance of the September 24, 2012 Council Consent Agenda as identified below, be adopted:

a) **103 Lynch Circle – Upcoming Ontario Municipal Board Hearing**

Dr. J. Laird
Ms. D. Jaques

THAT Report 12-91 dated September 24, 2012 regarding an appeal from the Committee of Adjustment decision A-79/12 refusing a minor variance to permit a 5.0 metre wide driveway which constitutes 57.76% of the front yard and an 87.1 square metre accessory apartment in a semi-detached dwelling at 103 Lynch Circle, City of Guelph, from Planning, Building, Engineering and Environment be received;

AND THAT the City be a party at any upcoming OMB proceedings to oppose an appeal of the Committee of Adjustment decision A-79/12 refusing a minor variance to permit a 5.0 metre wide driveway, which constitutes 57.76% of the front yard and an 87.1 square metre accessory apartment in a semi-detached dwelling at 103 Lynch Circle, City of Guelph;

AND THAT appropriate staff attend any future Ontario Municipal Board proceedings to support Council's direction.

b) **Litigation Status Report dated September 17, 2012**

Ms. D. Jaques
Mr. M. Amorosi

THAT the report of Legal and Realty Services regarding the status of City litigation be received.

B Items for Direction of Council

1) **FCM Campaign for New Federal Infrastructure Funding Program**

FCM
Hon. D. Lebel
Hon. K. Wynne
Mr. F. Valeriote
AMO
Dr. J. Laird
Mr. A. Horsman

WHEREAS, the Building Canada Plan and a number of important federal-provincial transfer agreements vital to Canada's cities and communities will expire in March 2014;

AND WHEREAS, the Government of Canada has committed to develop a new long-term plan for municipal infrastructure funding in consultation with municipal and provincial/territorial governments;

AND WHEREAS, a seamless transition from the Building Canada Plan to a new long term plan is necessary to ensure that municipalities can continue planning their capital spending effectively;

AND WHEREAS, the Federation of Canadian Municipalities (FCM) has launched a campaign to ensure the new plan reflects municipal priorities;

AND WHEREAS, Guelph has an infrastructure gap of \$25.4 million annually for its water, wastewater, storm, and transportation systems;

THEREFORE BE IT RESOLVED THAT Council endorses the FCM campaign and urges the Minister of Transport, Infrastructure and Communities to work with FCM to ensure the new long-term infrastructure plan meets the needs of municipalities;

AND THAT Council urges the Minister of Transport, Infrastructure and Communities to ensure the new long-term plan is fully in place when existing programs expire in 2014;

AND THAT a copy of this resolution be sent to the Minister of Transport, Infrastructure and Communities, Ontario's Minister of Municipal Affairs and Housing, Guelph MP Frank Valeriote, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST (0)

Carried

Councillor Hofland presented Clause 35 that was extracted from the Corporate Administration, Finance & Enterprise Committee Sixth Consent Report.

Mr. M. Amorosi, Executive Director of Corporate & Human Resources, introduced the Corporate Technology Strategic Plan as contained in the meeting agenda. He advised that Council is being asked to approve the vision, direction and approach and that the funding would be considered as part of the budget process.

Mr. Gilles Dupuis, General Manager of Information Technology, outlined the corporate technology strategy framework.

Norah Prior of Prior & Prior Associates Ltd., outlined the current technology state and what is needed to move the City towards a tech savvy city providing better customer service.

There was considerable discussion relating to the benefits and performance tracking.

7. Moved by Councillor Hofland
Seconded by Councillor Wettstein

Mr. M. Amorosi
Mr. A. Horsman

THAT Council approve the Corporate Technology Strategic Plan;

AND THAT the implementation plan included in the Corporate Technology Strategic Plan is approved;

AND THAT the Capital and Operating Budget resources required to implement the plan be referred to the 2013 budget process.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST (0)

Carried

Councillor Piper presented Clause 33 that was extracted from the Planning & Building, Engineering and Environment Committee Eighth Consent Report.

Mixed-Use Nodes Urban Design Concept Plans: Watson Parkway / Starwood and Paisley / Imperial Community Mixed Use Node

Mr. Todd Salter, General Manager Planning Services, in response to questions, advised that the land uses in the nodes are determined by the Official Plan.

8. Moved by Councillor Piper
Seconded by Councillor Burcher

Dr. J. Laird
Mr. T. Salter

THAT the Planning, Building, Engineering and Environment report 12-93, regarding Mixed-Use Nodes Urban Design Concept Plans dated September 17, 2012, be received;

AND THAT Council endorse the Urban Design Concept Plans, Principles and Illustrative Diagrams for the Watson Parkway/Starwood and Paisley/Imperial mixed use nodes, included as Attachments 1A, 1B, 1C and 2A, 2B, 2C to report 12-93;

AND THAT staff be directed to use the Urban Design Concept Plans, Principles and Illustrative Diagrams to guide the review of future development applications within these nodes.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST (0)

Carried

Councillor Piper presented Clause 39 that was extracted from the Planning & Building, Engineering and Environment Committee Eighth Consent Report.

Sign By-law Variance for 1291 Gordon Street

9. Moved by Councillor Piper
Seconded by Councillor Burcher

Dr. J. Laird
Mr. B. Poole

THAT Planning, Building, Engineering and Environment report dated September 17, 2012 regarding sign variances for 1291 Gordon Street be received;

AND THAT variances from the Sign By-law for 1291 Gordon Street to permit two signs with a height of 7.8 metres and an area face of 18 m² per sign be approved;

AND THAT two (2) of the existing signs be removed by October 1, 2012;

AND THAT the two (2) remaining signs be removed no later than twelve months from the date of approval.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (10)

VOTING AGAINST Councillors Dennis, Laidlaw and Piper (3)

Carried

Consent Agenda – Municipal Support for Local Renewable Energy Projects

Mr. Rob Kerr, Corporate Manager Community Energy, provided clarification on the report contained in the meeting agenda.

10. Moved by Councillor Findlay
Seconded by Councillor Wettstein

Mr. A. Horsman
Mr. R. Kerr
Mr. B. Labelle

WHEREAS the Province's FIT Program encourages the construction and operation of rooftop solar, groundmount solar, bioenergy and on-shore wind generation projects (the "Projects");

AND WHEREAS one or more Projects may be constructed and operated in the City of Guelph;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in these Applicants being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED:

THAT Report FIN-CE-12-01 entitled 'Municipal Support for Local Renewable Energy Projects dated September 24, 2012, be received;

AND THAT Council of the City of Guelph supports without reservation the construction and operation of the Projects anywhere in the City of Guelph;

AND THAT Council direct the City Clerk to sign the attached "Prescribed Form/Template: Municipal Council Blanket Support Resolution" (Attachment #1);

AND THAT Council direct the Corporate Manager, Community Energy to provide a completed and signed "Prescribed Form/Template: Municipal Council Blanket Support Resolution" (Attachment #1) to applicants requesting same for the purposes of submissions to the Ontario Power Authorities Feed-In-Tariff Program;

AND THAT the Corporate Manager, Community Energy be directed to report to Council on a regular basis the activity related to requests for the "Prescribed Form/Template: Municipal Council Blanket Support Resolution";

AND THAT the Municipal Council Blanket Support Resolution remain in effect for one year from the date of adoption.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (12)

VOTING AGAINST Councillor Kovach (1)

Carried

SPECIAL RESOLUTIONS

Councillor Bell presented his notice of motion.

There was considerable discussion for clarifying the information requested.

11. Moved by Councillor Bell

Seconded by Councillor Furfaro

THAT a summary of the costs and benefits associated with late night downtown bars be referred to the Operations, Transit & Emergency Services Committee for discussion and direction to staff.

12. Moved in Amendment by Councillor Burcher

Seconded by Councillor Hofland

THAT a summary of the costs and benefits associated with late night downtown bars be undertaken following the pilot program;

AND THAT the matter of preparing the report be referred to the Manager of Downtown Renewal to report back to

the Corporate Administration, Finance & Enterprise Committee.

VOTING IN FAVOUR: Councillors Burcher, Dennis, Furfaro, Hofland, Laidlaw, Piper and Wettstein (7)

VOTING AGAINST Councillors Bell, Findlay, Guthrie, Kovach, Van Hellemond, and Mayor Farbridge (6)

Carried

13. Moved by Councillor Bell
Seconded by Councillor Furfaro

Counc. Hofland
Mr. I. Panabaker
Mr. D. McCaughan
Mr. A. Horsman

THAT a summary of the costs and benefits associated with late night downtown bars be referred to the Corporate Administration, Finance & Enterprise Committee for discussion and direction to staff;

AND THAT a summary of the costs and benefits associated with late night downtown bars be undertaken following the pilot program;

AND THAT the matter of preparing the report be referred to the Manager of Downtown Renewal to report back to the Corporate Administration, Finance & Enterprise Committee.

VOTING IN FAVOUR: Councillors Bell, Dennis, Furfaro, Guthrie, Hofland, Kovach, Piper, Van Hellemond and Wettstein (9)

VOTING AGAINST Councillors Burcher, Findlay, Laidlaw and Mayor Farbridge (4)

Carried

Councillor Guthrie introduced his notice of motion.

There was considerable discussion on the information requested.

Mr. A. Horsman, Executive Director Finance & Enterprise, in response to questions advised that the department is working on various financial policies.

14. Moved by Councillor Guthrie
Seconded by Councillor Kovach

THAT the following motion be referred to the Corporate Administration, Finance & Enterprise Committee for consideration;

THAT as part of Finance Department's review and consideration of current policies/practices respecting year end surpluses and development of

a corporate "Disposition of Year End Surplus" policy,

- a) THAT staff include consideration of returning tax supported surplus to the taxpayers first, where doing so does not drop the tax rate stabilization reserve below stable levels;
- b) That staff report back on this when bringing the proposed "Disposition of Year End Surplus" corporate policy forward in Q2 2013.

VOTING IN FAVOUR: Councillors Bell, Furfaro, Guthrie and Kovach (4)

VOTING AGAINST Councillors Burcher, Dennis, Findlay, Hofland, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (9)

Defeated

BY-LAWS

15. Moved by Councillor Furfaro
Seconded by Councillor Van Hellemond
THAT By-laws Numbered (2012)-19462 to (2012)-19472, inclusive, are hereby passed.

VOTING IN FAVOUR: Councillors Bell, Burcher, Dennis, Findlay, Furfaro, Guthrie, Hofland, Kovach, Laidlaw, Piper, Van Hellemond, Wettstein and Mayor Farbridge (13)

VOTING AGAINST (0)

Carried

NOTICE OF MOTION

Councillor Findlay advised that he will be bring forward a notice of motion with respect to an identifiable individual.

ADJOURNMENT

16. Moved by Councillor Burcher
Seconded by Councillor Guthrie
That the meeting of Guelph City Council of September 24, 2012 be adjourned.

Carried

The meeting adjourned at 10:05 p.m.

Minutes to be confirmed on October 22, 2012.

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Mayor

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Clerk