



City of Venice

401 West Venice Avenue
Venice, FL 34285
www.venicegov.com

Meeting Minutes City Council

Tuesday, June 28, 2016

9:00 AM

Council Chambers

CALL TO ORDER

Mayor Holic called the meeting to order at 9:00 a.m.

ROLL CALL

Present: 7 - Mayor John Holic, Council Member Kit McKeon, Council Member Jeanette Gates, Council Member Bob Daniels, Council Member Deborah Anderson, Council Member Richard Cautero and Council Member Fred Fraize

ALSO PRESENT

City Attorney Dave Persson, City Clerk Lori Stelzer, City Manager Ed Lavallee, Recording Secretary Mercedes Barcia, and for certain items on the agenda: Fire Chief Shawn Carvey, Police Chief Tom Mattmuller, Finance Director Walter Pierce, Assistant City Manager Len Bramble, City Engineer Kathleen Weeden, and Public Information Officer Lorraine Anderson

INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Stelzer offered the Invocation followed by the Pledge of Allegiance led by Police Officer/Marine Patrol Paul Joyce II.

I. RECOGNITION

16-2081

25-year Service Award, Paul Joyce II, Police Officer/Marine Patrol

Mayor Holic recognized Police Officer/Marine Patrol Officer Paul Joyce II for his 25 years of dedicated service and presented him with an award.

Mayor Holic presented this award.

16-2082

Bob Klingbeil, President and Lori Greenberg, Fireworks Chair, Sertoma Club of Venice, to Present to the City of Venice a \$10,000 Check for the 4th of July Fireworks Display

Mr. Klingbeil and Ms. Greenberg presented a \$10,000 check to the city for the 4th of July Fireworks display.

Mayor Holic accepted this check on behalf of the City of Venice.

II. AUDIENCE PARTICIPATION

Tom Lariviere, 256 Jacaranda Circle, commented on the construction near Ridgewood Mobile Home Park, issue with traffic and sidewalk paths, closure of Ridgewood Avenue at the bypass, placement of signs, and article on the police department regarding loss of officers.

Discussion followed on exit interview analysis, loss of police officers, and benefit of obtaining volunteers in the police department.

III. CONSENT SECTION:

A motion was made by Council Member Daniels, second by Council Member Gates to approve the items in the Consent Section. The motion carried unanimously by voice vote.

A. MAYOR

16-2083 Reappoint Judith Keeler and Robert Young to the Code Enforcement Board to Serve a Term from July 1, 2016 until June 30, 2019

These Reappointments were approved on the Consent Agenda.

16-2084 Appoint Margaret Fiedler to the Code Enforcement Board to Serve a Term from June 29, 2016 until June 30, 2019

This Appointment was approved on the Consent Agenda.

B. CITY CLERK

16-2085 Minutes of the March 31, 2016 Joint Meeting, April 27, 2016 One Cent Sales Tax Workshop, April 29, 2016 Strategic Planning, May 13, 2016 CIP Workshop, May 24 Joint Workshop with Planning Commission, June 7, 2016 Public Safety Bond Referendum Workshop, and June 14, 2016 Regular Meeting

These Minutes were approved on the Consent Agenda.

C. CITY ATTORNEY

16-2086 Approve Proposed Settlement Agreement Relative to City of Venice v. Sergije Stangacilovic and Nikola Miric (Foreclosure of Code Enforcement and Utility Liens)

This Agreement was approved on the Consent Agenda.

D. CITY MANAGER

Airport

16-2087 Approval to Submit an Application for Federal Assistance to the FAA

and Accept a Grant Offer to Design the Rehabilitation of Aircraft Parking Aprons in an Estimated Amount of \$197,998

This Item was approved on the Consent Agenda.

Public Works

16-2088

Request Council Approval to Utilize a Cooperative Purchasing Agreement to Purchase one "Front-Loading" Refuse Truck from the Florida Sheriff's Association's Bid (# 15-13-0904) through the Authorized Dealer of Nextran Truck Center in the Amount of \$280,737.00

This Agreement was approved on the Consent Agenda.

Utilities

CON. NO.
55-2016

Approval of Continuing Contracts for RFQ 3022-16 Utilities Engineer of Record with the Top Eight Ranked Firms, with no Guarantee of Contract Amount, for an Initial Term of Three Years with the Option of Two One-Year Renewal Periods

This Contract was approved on the Consent Agenda.

IV. NEW BUSINESS

A. PRESENTATIONS

16-2089

Mike Hartley, President and Bonnie Hartley, Secretary/Treasurer, Venice Institute for Performing Arts: Update on Venice Performing Arts Center (10 min.)

Mr. Hartley provided a presentation on the Venice Performing Arts Center to include appointment of the Joint Management Advisory Board (JMAB), programming, budget contributions, recommendations by the JMAB, a non-profit resident production company, funding for equipment replacement and lighting system for theater, hiring of full-time school board employee, fundraising activities, expansion of box office space and staff, Venice Institute of Performing Arts, sustaining operations and cultural return in investments, organization of the board, collaboration with different organizations, and development of internships with Venice High School students.

Mr. Hartley continued to discuss production enhancements and experiences, fees charged by the school board, technical and administrative fees retained by the institute, net revenue for events and contributions, pop music productions, budget projections, reserve for replacement study, and working capital.

Mr. Hartley responded to council questions regarding operating expenses and request to Sarasota County for funding.

Discussion ensued on the need for better signage, estimated costs for lighting in theater, and cost effective advertising.

Mr. Persson introduced Regina Kardash, a new attorney in his firm.

16-2090

Phil Ellis, President, Venice Area Beautification Inc. (VABI): Urban Forest Landscaping along Venetian Waterway Park (10 min.)

Mr. Ellis provided council with renderings done by Bill Farnsworth for the proposed Urban Forest landscaping project. Mr. Ellis spoke on future plans of the landscaping project, collaboration with the county, property location, upcoming meeting with county commission next month for approval, and artists for next year.

Bill Farnsworth, Master Artist, VABI, spoke on project, photographs taken from the Venice Avenue bridge, and creation of renderings.

Discussion continued on concerns with the landscaping at the urban forest, presentation with planning commission, and redevelopment of Seaboard area.

Mr. Lavallee provided a formal endorsement for the urban forest project, and there was consensus by council for Mr. Lavallee to draft a letter of support for the project.

A motion was made by Council Member Gates, seconded by Council Member McKeon, to direct the City Manager to draft a letter of support. The motion carried by voice vote unanimously.

16-2091

Mark Huey, President and CEO of Economic Development Corporation of Sarasota County, Jeff Maultsby, Director, Business & Economic Development, Sarasota County Government and Al Carlson, Regional Director of the UF Innovation Station Sarasota County: UF Innovation Station (20 min.)

Mr. Huey spoke on the University of Florida's (UF) innovation station regarding new asset on diversifying economy, partnership with Venice, Englewood, and North Port chambers, growth of innovation stations, concierge service access and pipeline development, public and private sector partnership for sustainable basis, and selection of Al Carlson to lead the innovation station.

Mr. Carlson, spoke on his engineering background, pipeline development for technical engineering, project initiatives, collaboration with Sarasota County schools for the introduction of Science Technology Engineering and Math (STEM) projects, and workforce development.

Discussion continued on the success of the program, student housing at UF, success of graduating class for the machinist program at Suncoast

Technical College, student mentoring during internships, and importance of appropriate and meaningful student projects.

Recess was taken from 10:31 a.m until 10:41 a.m.

16-2092

Finance Director Walter Pierce: Financial Summary

Mr. Pierce provided a financial summary and noted a correction to the solid waste budget. Mr. Pierce discussed revenues, changes to the revised plan for the city manager, making format changes, general fund revenues, budget and expenditure increases with the police and fire department, and airport fund revenues.

Mr. Pierce responded to council questions regarding increases in the health care fund, accuracy with budget projections, providing quarterly reports to council on collected impact fees and extraordinary mitigation fees, validity of the pension budget for the police and fire department, general fund reserve balance, revenue on extraordinary mitigation fees, and current reserve balance for each department.

Mr. Pierce mentioned he will provide council with a report on the reserves for each department during the budget workshop.

Discussion ensued on prior council discussion regarding extraordinary mitigation fees.

Mr. Persson spoke on the city's legal issue regarding the collection of mitigation fees and recommended the city not utilize or spend any of the funds until the dispute process has been resolved. Mr. Persson mentioned he would provide an update at the council meeting on July 12, 2016.

Ms. Anderson requested a proposed deadline for resolution of the dispute on mitigation fees and to place the item on next agenda.

Mr. Caetero recommended the city manager provide litigation history and mitigation fund balance at next council meeting.

Discussion ensued on Mr. Pierce providing council with the percentage of employees that are part of the general fund since 2009.

16-2093

Assistant City Manager Len Bramble, Police Chief Tom Mattmuller, and Kay Kropac, Café Venice: 2016 Valet Parking Pilot (10 min.)

Mr. Bramble presented a drawing of the Cafe Venice Valet Parking Pilot and spoke about the utilization of parking spaces.

Chief Mattmuller spoke on his observations of the valet parking

operation.

Ms. Kropac, spoke on valet parking use, positive customer feedback, valet fee paid by the cafe instead of customers, report provided by the valet company, and success of the operation. Ms. Kropac responded to council questions regarding the number of available parking spaces and the parking location used by the valet company to park vehicles.

Discussion continued regarding obtaining a valet sign for restaurant users only, participation by other restaurants, and valet insurance.

Ms. Kropac requested permission to have valet parking available again next season. Discussion ensued on whether a licensing agreement is needed for use of public space for public purposes.

There was consensus to direct the City Manager to draft a license agreement for the valet parking request from Cafe Venice.

V. PUBLIC HEARINGS

RES. NO. 2016-18

A Resolution of the City of Venice, Florida, Vacating a Portion of an Existing Right-of-Way at 308 Nassau Street, as Recorded in Plat Book 8, Page 33, Public Records of Sarasota County, Florida and Providing an Effective Date

Ms. Stelzer read the resolution by title only.

Mayor Holic opened the public hearing.

No one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member McKeon, seconded by Council Member Daniels, that Resolution No. 2016-18 be approved and adopted.

Mr. Persson spoke on ownership of property rights.

Discussion continued regarding property appraisal and taxes, and fee for vacation requests.

The motion carried by the following vote:

Yes: 7 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson, Mr. Caution and Mr. Fraize

RES. NO. 2016-20

A Resolution of the City of Venice, Florida, to Vacate a Portion of a 20 Foot Wide Alley Located in Blocks 206 and 208, Edgewood Section of Venice, as Recorded in Plat Book 2, Page 217, of the Public Records of Sarasota County, Florida and Providing an Effective Date (Splash - Cypress Avenue)

Ms. Stelzer read the resolution by title only.

Mayor Holic opened the public hearing.

No one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Gates, seconded by Council Member Daniels, that Resolution No. 2016-20 be approved and adopted.

Discussion followed regarding including staff memorandums on requests made for vacating right-of-ways or easements.

The motion carried by the following vote:

Yes: 7 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson, Mr. Caution and Mr. Fraize

C. COUNCIL ACTION/DISCUSSION

16-2095

Request Funds in the Amount of \$15,000 for a Consultant to Create a Study for Renovating the Existing Police Building

With no objections, the agenda was reordered.

A motion was made by Council Member Daniels, seconded by Council Member Fraize, that Item No. 16-2095 be approved.

Discussion followed on the requested amount being \$10,000 instead of \$15,000.

Mr. Daniels restated his motion to include Item No. 16-2095 be approved in the amount of \$10,000. The motion was seconded by Mr. Fraize.

Discussion continued on the requested amount for hiring a consultant, task completion date, company being used, contact with architect who designed the building, providing explanation of line items by memorandum, and this option being an alternative to make the public aware of the costs.

The motion carried by voice vote unanimously.

ORDINANCES - FINAL READING

ORD. NO. 2016-07

An Ordinance of the City of Venice, Florida, Ordering and Calling for a Bond Referendum Election to be Held on November 8, 2016, in the City of Venice, Florida, to Determine if the Qualified Electors Residing in the City Approve the Issuance by the City of General Obligation Bonds that Shall Mature not Later than 30 Years from their Date of Issuance in an Aggregate Principal Amount not Exceeding \$16,000,000 Payable from Ad Valorem Property Taxes Levied without Limit Against all Taxable Property within the City in Order to Finance Certain Public Safety Capital Improvements within the City; Providing Severability and an Effective

Date.

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

There was no written communication and no one signed up to speak.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, that Ordinance No. 2016-07 be approved and adopted.

Discussion continued on catalyst for Seaboard area, moving public works building and police station, moving firing range to new facility, opening additional space at Wellfield Park for athletic fields, restricting project to public safety, having more clarity on frequently asked questions, concerns with project timeframe, cost of renovating the police station versus buying a new building, safety issues with current building, getting the referendum on the November ballot, consolidation and location of data center, use of alternate funding, dissemination of facts to citizens, and timeframe for providing information to citizens.

The motion carried by the following vote:

Yes: 5 - Mayor Holic, Mr. McKeon, Mr. Daniels, Mr. Cautero and Mr. Fraize

No: 2 - Ms. Gates and Ms. Anderson

ORD. NO.
2016-09

An Ordinance of the City of Venice, Florida, Amending Ordinance No. 2008-10, Which Adopted a Pre-Annexation Agreement with SJMR Limited Partnership, a Florida Limited Partnership, and Sandra S. Hurt, as Trustee of the Carlton J. Hurt Trust and a Pre-Annexation Agreement with Caithness Construction, Inc., a Florida Corporation; by Adopting a First Amendment to Each Pre-Annexation Agreement, to Remove a Provision That Required Jackson Road be Improved and Extended From Border Road to Laurel Road as a County/Public Road; Providing for Conflicts Herewith; Providing for Severability; and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

Mayor Holic opened the public hearing.

No written communication was received.

Pat Wayman spoke on interest for future planning, extension of road, giving away future ability for connectivity, legal language in the pre-annexation agreement, premature development of road, alternate traffic routes, and future growth in traffic and population in area.

Paula Knott, 1290 N. Jackson Road, commented on connectivity and expansion of Jackson Road, wants to keep the road and would like for the city to work with developers.

Jeffrey Boone, representative for property owners, spoke on first reading of the pre-annexation agreement, dedication of easement requirement, citizen concerns not to extend the road, Jackson Road not included in Sarasota County's future plans, future extension of road may require Sarasota County to condemn the easement, and client is against building extension of the road.

Mr. Persson clarified on the language and requirements of the pre-annexation agreement.

Discussion continued regarding the Joint Planning Areas (JPA).

Mr. Boone answered council questions regarding incorrect presumption on first reading, incorrect language in the pre-annexation agreement, city's decision to remove requirements in the pre-annexation agreement, clarification on term "building the road", road connectivity, changing language in the agreement, and agreement between Sarasota County and property owners not to build Jackson Road.

Mayor Holic closed the public hearing.

A motion was made by Council Member Daniels, seconded by Council Member McKeon, that Ordinance No. 2016-09 be approved and adopted.

Discussion continued regarding changing the language and provisions of the pre-annexation agreement, and previous vote by council.

Mr. Persson provided an explanation on the pre-annexation agreement to include the dedication of a right-of-way, decision for a right-of-way corridor for road purposes, request from applicant to delete dedication requirement from agreement, and the city's power to make requirements at time of zoning.

Discussion continued on future development of Jackson Road and previous voting by council.

The motion carried by the following vote:

Yes: 5 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels and Mr. Cautionero

No: 2 - Ms. Anderson and Mr. Fraize

NEW BUSINESS - Continued

B. ORDINANCES

ORD. NO.
2016-12

An Ordinance Amending the City of Venice, Florida Code of Ordinances, Chapter 22, Elections, Section 22-6, Certification of Election Results to Provide more Flexibility in Scheduling the Date to Certify the Election Results and Swear in the Newly Elected Mayor and Council Members; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability and Providing for an Effective Date

Ms. Stelzer read the ordinance by title only.

No one signed up to speak.

A motion was made by Council Member Gates, seconded by Council Member Daniels, that Ordinance No. 2016-12 be approved on first reading and scheduled for final reading. The motion carried by the following vote:

Yes: 7 - Mayor Holic, Mr. McKeon, Ms. Gates, Mr. Daniels, Ms. Anderson, Mr. Cautero and Mr. Fraize

ORD. NO.
2016-05

An Ordinance of the City of Venice, Florida Amending the Code of Ordinances, Chapter 62, Streets, Sidewalks and Other Public Places, by Adding Article VI, Mobile Vending; Establishing Regulations for Mobile Vending; Providing for Severability; and Providing an Effective Date

Ms. Stelzer read the ordinance by title only.

No one signed up to speak.

A motion was made by Council Member Daniels, seconded by Council Member Gates, that Ordinance No. 2016-05 be postponed to August 23, 2016. The motion carried by voice vote unanimously.

C. COUNCIL ACTION/DISCUSSION - continued16-2094

Request Funds in the Amount of \$45,000 for a Fire Assessment Fee Consultant

A motion was made by Council Member Daniels, seconded by Council Member McKeon, that Item No. 16-2094 be approved.

Discussion continued regarding memorandums being provided to council explaining proposed items.

Mr. Lavallee spoke on item to include examining options for funding the fire department, establishing a fee schedule, communication with consultants, request for council to approve allocation of funds to support study, and funding source.

The motion carried by voice vote unanimously.

Recess was taken from 2:34 p.m. until 2:41 p.m.

16-2096

Request Funds in the Amount of \$10,000 for a Planning Study to Replace Fire Station No. 1

A motion was made by Council Member Daniels, seconded by Council Member Fraize, that Item No. 16-2096 be approved.

Discussion continued on the development of a fire fee schedule, replacement of fire station one, and cost for a planning study.

Chief Carvey responded to council questions regarding the planning study for renovating fire station one, basic needs space assessment, location maintenance, cost analysis, possible growth, and hardening of the structure.

Discussion continued on the lack of funding for the fire department.

Mr. Lavalley spoke on the removal of fire department from general fund, having comprehensive plan in the fee schedule that would include capital items and costs, capital depreciation, alternative funding sources, and incorporating building cost with fee schedule.

Discussion continued on the cost and need for the planning study.

The motion failed by voice vote unanimously.

16-2097

Request Funds in the Amount of \$100,000 to Complete a Condition Assessment of all City Buildings

A motion was made by Council Member McKeon, seconded by Council Member Daniels, that Item No. 16-2097 be approved.

Discussion continued on obtaining a complete conditional assessment of buildings, timing of item, the need for a city wide asset inventory, and establishing depreciation schedules.

Mr. Pierce noted he has property listings and spoke on property inventory to include intent to review listing of properties, obtaining current condition of properties, and priority listing of assets.

Discussion ensued on updating the properties list, staff ability to provide qualified positions as to the condition of the properties, audits, selling of assets, and the need for priority ranking of assets.

The motion failed by voice vote unanimously.

16-2098

Request Funds in the Amount of \$45,000 for Bike and Access Safety Improvements for the Venetian Waterway Trail and the Hamilton Building

A motion was made by Council Member Daniels, seconded by Council Member Gates, that Item No. 16-2098 be approved.

Discussion continued on cleaning of bicycle trail path and safety issues with the Venetian Waterway Trail and the Hamilton building.

Ms. Weeden spoke on the safety improvements to pathway from the Venetian Waterway Trail to the island bicycle loop.

Discussion ensued on the total costs and expenditures to the city.

Ms. Weeden responded to council questions regarding enhancement of the bicycle trail, future parking, fencing material and expense, placement of directional signs, and conflict points at intersections.

The motion carried by voice vote unanimously.

16-2099

Approve 2017 State Legislative Priorities

A motion was made by Council Member Daniels, seconded by Council Member Mckeon, that Item No. 16-2099 be approved.

Discussion continued regarding appropriating \$1.3 million for Americans with Disabilities Act (ADA) improvements, sequence priorities, legislative support on funds, sending letters of appreciation to legislature and governor, historic preservation funding and donations by city residents, maintaining historic preservation on list of priorities, secondary funding sources, history of museum request, and development of a joint venture with the library and museum and archives.

A motion was made by Council Member Gates, seconded by Council Member Daniels, to amend the motion to include the two requests for second year installment for road improvements and utility infrastructure.

The amendment carried by voice vote unanimously.

A motion was made by Council Member Fraize, seconded by Council Member Daniels, that Item No. 16-2099 be postponed to July 12, 2016.

Discussion continued on request for additional funding of ADA and utility infrastructure, and submission for legislative support for the 2017 legislative session.

Ms. Weeden commented on the request of funds for beach renourishment.

Ms. Anderson stated she will be meeting with Sarasota County liaison on July 8, 2016.

The motion carried by voice vote unanimously.

16-2100

Community Access to Pocket Parks (Anderson)

Ms. Anderson spoke on pocket parks, Nolen Plan, and budget consideration for signs to be placed at park entrances so citizens may acknowledge the parks.

A motion was made by Council Member Anderson, seconded by Council Member Fraize, to direct staff to vet the placement of historical signs at pocket park entrances.

Discussion continued on pocket parks, maintenance of parks, placing of historic signs, obtaining input from Historical Resources Director James Hagler, park names, language on markers, and turning over request to staff to have it vetted through the boards.

Linda Kenfield Andrews, chair, Parks and Recreation Advisory Board, commented on the parks master plan and community access to pocket parks.

The motion carried by voice vote unanimously.

VI. CHARTER OFFICER REPORTS

City Attorney

Mr. Persson spoke on the city's insurance liability on sidewalk activities.

City Clerk

Ms. Stelzer had no report.

City Manager

16-2101

Update on Sidewalks

Mr. Lavallee reported on sidewalk issues to include regulations, permitting process, lack of comprehensive regulatory guidelines for use of sidewalks, changes to current forms and applications, sidewalk fees, ADA sidewalk minimum clearance, curb set back requirement, canopy setback and vertical height, lighting during season, canopy lights, times of operation, street light operations, code enforcement officer presence, orientations of sidewalk cafes, sidewalk cafe permit display, and maintenance of area.

Discussion continued regarding 24 inch clear zone at the curb, parking on curb, striping of walkways for cautioning diners and drivers, maintenance and safety of downtown businesses, quality and consistency of decorations in the area, landscaping maintenance on public right of ways that extend outside of stores, and keeping up appearance of sidewalks.

VII. COUNCIL REPORTS

Mayor Holic

Mayor Holic reported on the Parks and Recreation Advisory Board meeting including postponement of sculpture presentation by Jason Miner, quarterly updates for Sarasota County parks, soccer lighting at field, park impact fee for kayak launch, road obstruction by maintenance vehicle parking, and relocation of the post office distribution center.

Discussion continued on the relocation of the post office distribution center, purchase and renting of the property, building on property, resale of property, post office not wanting to relocate, recommendation to hire a consultant, and request to place item back on an agenda for further discussion.

Council Member Fraize

Mr. Fraize reported on the Southwest Florida Regional Planning Council, promise zones at federal level, and attendance at a learning collaborative meeting on Lake Okeechobee.

Council Member McKeon

Mr. McKeon reported on upcoming meetings, planning commission, trip to Tallahassee, meeting with the Department of Economic Opportunity (DEO), and planning commission's support on relocating post office distribution center.

Council Member Daniels

Mr. Daniels reported on upcoming transportation board meeting, bus systems, Florida Department of Transportation (FDOT) and transportation improvement plan, testing of driverless vehicles, Venice roundabout design and funding by federal government, update plan of River Road, high crash reports, tourist development council (TDC) board and health department presentation on Zika virus, Sarasota County extension of Laurel bridge project, Venice Theater, and paddleboard racing on Siesta Key.

Council Member Gates

Ms. Gates had no report.

Council Member Anderson

Ms. Anderson had no report.

Council Member Cautero

Mr. Cautero spoke on emergency preparedness for mobile home communities and the need for tornado preparedness guidelines.

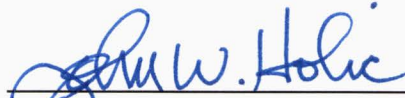
VIII. AUDIENCE PARTICIPATION

No one signed up to speak.


IX. ADJOURNMENT

There being no further business to come before Council, the meeting was adjourned at 4:58 p.m.

ATTEST:



Mayor - City of Venice



City Clerk