



**Public Meeting
Live Streaming
Policy
2022**

1. Purpose

To provide community members without in person attendance, access to Regular Meetings, Special Meetings of Council (as well as Standing Committee Meetings, Boards and Commission Meetings), and Advisory Committee Meetings, which are held in Council Chambers. Whenever the word “meeting” is used the intent is to include all aforementioned meeting types.

Notwithstanding that the Village will be live streaming meetings, the Mayor and Members of the Village of Swanton Council also welcome all community members to attend Council Meetings in person. Seating for visitors is provided in the public gallery at the rear of the Council Chamber.

2. Background/Context

By developing this policy, Village of Swanton Council aims to provide cost effective and flexible viewing of Council Meetings, Standing Committees, Board and Commission Meetings, and Advisory Committee. ;

3. Objectives

Village of Swanton Council intends, through this Policy, to provide online access to view meetings wherein public business is being conducted.

4. Scope and Obtaining Information/Interaction with Village Personnel

To facilitate community access to meetings wherein public business is being conducted. This policy is limited to live streaming of meetings and thus, there is no procedure for interaction between members of Council and any Committee covered by this policy. However, members of the public who are viewing the livestream may be permitted to make comments on the live streaming platform (e.g. Facebook Live). While those comments will be viewed by the Administrator of the Village, there will be no direct interaction between members of the public and any member of Council or Committee covered by this policy. If any member of the public wishes to engage with any Village employee, Council Member, or Committee member covered under this policy, he or she should contact the appropriate individual through the Village office during normal business hours.

5. Statement of Practice

Decisions made at formal Council Meetings provide the direction and authority for the ongoing operation of the Council. It is at these meetings that the Council Members decide the policy direction

of the Council and make decisions on other Village business. Council will follow Ohio law for resolutions and ordinances, including those for executive sessions.

Executive Session

Meetings are closed to the public when items of a confidential nature are discussed in executive session as defined under Ohio law.

6. Streaming Council Meetings

Village of Swanton Council live streams all Council and Committee meetings which take place in Council chambers..

Live streaming allows the public to view proceedings via the internet without the need to physically attend Council meetings. This gives greater access to Council and Committee debate and decisions and eliminates geographic barriers that may prevent the community from attending meetings.

By attending a Council Meeting those present may be recorded or image captured on video. By attending any public meeting in person, every individual in attendance consents to having their image captured on video.

6.1 Meetings to be Streamed Live and Recorded

Regular and other Committee Meetings covered under this policy which are held in the Council Chamber will be streamed live on the internet. However, in the event of failure of technology or unavailability of livestreaming, the Village reserves the right to not livestream any given meeting.

Also, the Chair of any Committee may terminate livestreaming if it becomes advisable to do so based upon exceptional circumstances only.

6.2 Access to Archived Recordings

Regular and Special Council and Committee meetings covered under this policy that are streamed live on the internet will later be archived and be available to be viewed by the public free of charge.

Confidential Meetings (e.g. executive sessions) closed to public are not recorded.

Archived recordings of meetings will be available for a period of 12 months.

6.3 Notice to Public Gallery

It is not intended that visitors in the public gallery be recorded. However, it may be such that members of the public are captured on video.

At the commencement of each meeting, the Chair shall read a statement notifying those present that the meeting will be streamed live on the internet and that the recording will be made publicly available. Signage to this effect shall also be visibly displayed in Council Chambers, on Village's website and printed in the meeting agenda.

6.4 Presentation of Proclamations

6.4.1 Where Council or Mayor determines to present an Award at a Regular Meeting of Council, recipient/s concerned will be recorded.

In such circumstances, correspondence to recipient/s shall include notification that the meeting will be streamed live on the internet and that the recording will be made publicly available.

6.4.2 By participating in a public meeting, those members of the public in attendance agree to being recorded.

6.5 Public Comment/Question/Presentation Time

6.5.1 The Council provides an opportunity for the public to make a presentation to council, but only to those present at a meeting in person.

6.5.2 The presenter who must be present in the public gallery, will be invited to a designated location within the Council Chamber, from where they will be recorded.

6.5.3 By participating in a public Council meeting, those presenters agree to being recorded.

6.6 Identified Risks and Mitigation Action

Public Council meetings are an open forum of statements, questions and answers for those in attendance, in person. Occasionally, comments could be made which may be regarded as offensive, defamatory, inaccurate or contrary to law.

By live streaming and publishing recordings of meetings, the potential audience is significantly increased, which also increases the likelihood and/or severity of potential liability for individuals participating in such meetings.

It should be noted Council members, public officials and employees or the public may be held liable for comments made during meetings which are defamatory as defined by Ohio law. The Village, its public officials, and employees do not take responsibility for an defamatory statements made in any meeting.

Accordingly:

The Village Administrator and/or the Mayor will have the discretion and authority at any time during a meeting to correct inaccuracies and/or direct the termination or interruption of live streaming if they believe it is advisable to do so, but only under exceptional circumstances.

6.7 Privacy and Defamation

The audio-visual recording equipment will be configured in a way which avoids coverage of the public gallery area and Council will endeavor to ensure images in this area are not streamed. However, Council expressly provides no assurances to this effect and in the event that your image is webcast, by remaining in the public gallery area, it is assumed that consent has been given to the Council to broadcast your image.

The opinions or statements made during the meeting are those of the individuals, and not necessarily the opinions or statements of Council as a whole. Council does not necessarily endorse or support the views, opinions, standards, or information contained in the live streaming/recording of any meeting covered under this policy.

Council does not accept any responsibility for the verbal comments made during any meeting which may be deemed actionable by law. The Council does not accept any responsibility or liability for any loss, damage, cost or expense you might incur as a result of the viewing, use or reliance of information or statements provided in the live streaming/recording of meetings covered under this policy.

6.7.1 Privacy and Defamation Disclaimer Notice

A privacy and defamation disclaimer has been prepared to ensure that:

- Visitors in the public gallery are aware of possible privacy concerns regarding the live streaming meetings, and that

- Council members, Village employees, Board/Commission, Mayor, and visitors in the public gallery are fully aware of the possible legal consequences arising from making defamatory gestures, statements and/or comments.

Signage to this effect will be visibly displayed in the Council chamber, on the Village's website and printed in the meeting agenda.

6.8 Website Disclaimer Notice

A disclaimer has been prepared for inclusion on Village's webpage.

7 Attachments

Meeting Chairs Statement (to be read the commencement of each Council Meeting.)

Ladies & Gentleman,

Please note that this meeting is being recorded and streamed live in accordance with The Village of Swanton Council/Meeting Live Stream Policy 2022, which can be viewed on the website.

All care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded.

By remaining in the public gallery, it is assumed your consent is given if your image is inadvertently broadcast.

I also remind all present, Members of the Council, the Mayor, and the Village of Swanton do not have protection for comments made during meetings that are subsequently challenged in a court of law and determined to be slanderous.

Thank you.

8 Public Notice

Please note that this meeting is being recorded and streamed live in accordance with The Village of Swanton Council/Meeting Live Stream Policy 2022.

The recording may be archived and made available on the website after the meeting for a period of 12 months.

All care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded.

By remaining in the public gallery, it is assumed your consent is given if your image is inadvertently broadcast.

A copy of this policy shall be maintained and can be accessed on the Village's website.