

Regular Meeting
5:30 P.M.

CITY OF COLDWATER PLANNING COMMISSION
Monday June 6, 2022 Meeting

AGENDA

ROLL CALL

MINUTES

1. Planning Commission regular meeting of April 18, 2022

PUBLIC COMMENTS

PUBLIC HEARING

OLD BUSINESS

2. **Planning Commission By-Laws and Rules of Procedure**

NEW BUSINESS

3. **Public Meeting Streaming, Recording, & Retention Standard Operating Procedure**

ADJOURNMENT

Next meeting – Monday July 18, 2022

Council Chamber
Henry L. Brown Municipal Bldg.
One Grand Street
Coldwater, Michigan



April 18, 2022
5:30 p.m.
(517) 279-9501
www.coldwater.org

PLANNING COMMISSION MINUTES REGULAR MEETING

ROLL CALL

Chairman Garn called the meeting to order with the following Commissioners present: Jessika Cole, Councilmember Michael Beckwith, Salwa Alsuraimi, Chris Stevens, Patty DeGroot, Mayor Kramer, Dave Rumsey and Andrew Cameron.

Members Absent: None.

Others present: Dean Walrack, Shauna Chávez, Katie Higgs, Audrey Tappenden plus two others.

1. Minutes of the Regular Meeting of March 7, 2022.

Commission Action: Motion by Commissioner Stevens, seconded Commissioner Cole, to approve and place on file the minutes of the Regular Meeting of March 7, 2022, as presented.

Ayes: 9

Nays: 0

Motion carried.

PUBLIC COMMENTS (unrelated to items on the agenda)

Audrey Tappenden – Local business El Taco Loco is the recipient for the Match on Main, with the DDA providing sub-grant of \$18,000.

PUBLIC HEARING

2. RZN 22-01: A proposal to consider rezoning two acres of vacant land currently zoned Coldwater Township GB General Business District to City of Coldwater C-4 General Business District in accordance with Section 7.11 of the City of Coldwater Zoning Ordinance.

Chairman Garn opened the public hearing at 5:33 pm.

A Request from CWBC Properties, LLC to consider rezoning the vacant parcel located on N. Willowbrook Rd. from Coldwater Township GB General Business District to City of Coldwater C-4 General Business District. The property is directly adjacent to 18 acres of land zoned C-4

General Business District and also owned by the applicant. The applicant has received Special Land Use permission to operate a multi-family residential dwelling on the adjacent property and has applied for permission to expand that use onto this parcel. A site plan which includes this property has received administrative approval pending the subsequent award of this Rezoning and Special Land Use permission.

The site is bordered on all sides by commercial uses on all sides. The vacant land to the north is being developed for multi-family residential use and this site is intended to be incorporated into that development.

INTENT

Section 3.1.10.A C-4 General Business District: This Zoning District is intended to satisfy the land needs for a wide range of business uses and to cater to the needs of a larger consumer population than is served by the other commercial business districts.

STAFF COMMENT

After review, staff notes the following:

1. The Special Land Use Permission was granted by the Coldwater Planning Commission to the original 18 acres of this project on November 15, 2021.
2. The accompanying site plan has received Administrative Approval.
3. The City of Coldwater and Coldwater Township agreed upon a jurisdictional transfer agreement to move this property into the City of Coldwater on April 11, 2022.
4. A rezoning to C-4 General Commercial district will need to be approved by the Coldwater City Council.

PUBLIC COMMENT

- None.

Notices were mailed to properties within 300 feet and a public hearing notice was published in the Coldwater Daily Reporter on April 2, 2022 as required by law.

Chairman Garn closed the public hearing at 5:39 pm.

Commission Action: Motion by Commissioner Cameron, seconded by Commissioner Cole, to recommend to the Coldwater City Council the request to rezone the property from Coldwater Township GB General Business District to City of Coldwater C-4 General Business District, as presented.

Ayes: 9

Nays: 0

Motion carried.

PUBLIC HEARING

3. SUP22-04 A request from CWBC Properties, LLC to consider a Special Land Use Permit for the construction and operation of a Multi-Family Residential in a C-4 General Business District located at 421 N. Willowbrook Rd., Coldwater, MI.

Chairman Garn opened the public hearing at 5:39 pm.

A special land use permit is required for this project by Section 3.1.10.C of the Zoning Ordinance. Section 6.2 (Special Land Uses chapter) of the Zoning Ordinance states that: "The Planning Commission shall review the particular circumstances of the special use application under consideration in terms of the following standards and shall approve a special use only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Zoning Code."

CWBC Properties is proposing a 312-unit multi-family residential development on a 20.34 acre site. It will include 10 new three-story buildings, a one-story clubhouse with pool, and eight garages. There will be parking for 551 vehicles. The development will consist of 174 one-bedroom units and 138 two-bedroom units.

This project was reviewed at the November 15, 2021 meeting of the Coldwater Planning Commission and the adjacent 18 acres received Special Land Use permission. The accompanying site plan included this two-acre parcel at that time.

This property was transferred from the jurisdiction of Coldwater Township to the City of Coldwater on April 11, 2022. A rezoning of the property to C-4 General Business District will also be required for this development.

Please find below all existing language from the city's zoning code as it pertains to this application

Section 3.1.10.A C-4 General Business District Purpose and Intent of District

This Zoning District is intended to satisfy the land needs for a wide range of business uses and to cater to the needs of a larger consumer population than is served by the other commercial business districts.

Section 3.1.8.C C-4 General Business District Special Land Uses

The following uses may be permitted, but are subject to the provisions and conditions outlined in Section 6.2 (Special Land Uses):

12. Multi-family dwelling as primary use.

Section 6.2.D Special Land Uses - Basis of Determination

Discretionary General Standards. The Planning Commission shall review the particular circumstances of the special use application under consideration in terms of the following standards and shall approve a special use only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Zoning Code:

1. The special land use shall be harmonious with and in accordance with the general objectives, intent and purposes of this Code.
2. The special land use shall be designed, constructed, operated and maintained in a manner harmonious with the character of existing and future land uses on adjacent property and the surrounding area.
3. The special land use shall not change the essential character of the surrounding area.
4. The special land use shall not be hazardous to adjacent property or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes or glare.
5. The special use shall be required to be served by public sanitary sewer and water supply systems when available or other systems approved by the Health Department, and served adequately by other essential public facilities and services; such as highways, streets, drives, sidewalks, police and fire protection, drainage structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed special use shall be able to provide adequately all such services. Further the special use shall not place demands on public services and facilities in excess of current capacity.

STAFF COMMENT

After review, staff notes the following:

1. The Special Land Use Permission was granted by the Coldwater Planning Commission to the original 18 acres of this project on November 15, 2021.
2. The accompanying site plan has received Administrative Approval.

3. The City of Coldwater and Coldwater Township agreed upon a jurisdictional transfer agreement to move this property into the City of Coldwater on April 11, 2022.
4. A rezoning to C-4 General Commercial district will need to be approved by the Coldwater City Council.

As a Special Use Permission request, the Planning Commission may place additional requirements upon an applicant if they feel it is necessary to preserve the public interest and the interest of nearby properties.

PUBLIC COMMENT

- None.

Notices were mailed to properties within 300 feet and a public hearing notice was published in the Coldwater Daily Reporter on April 2, 2022 as required by law.

Chairman Garn closed the public hearing at 5:45 pm.

Commission Action: Motion by Commissioner Cole, seconded by Councilmember Beckwith, to approve the Special Land Use permission request for Multiple-Family Dwelling to CWBC Properties, LLC, as the proposed use will be bound to all Specific Requirements for Special Land Uses in Section 4.21, and pursuant to the Coldwater City Council's rezoning of this property to C-4 General Business District, plus the following conditions, as presented.

- City Council approval.
- City of Coldwater and Coldwater Board of Public Utilities staff and consultants review and approval of respective site details.
- City of Coldwater Planning & Zoning Administrator's review and approval of landscaping plan.
- Soil Erosion and Sediment Control permits and plans are submitted and approved.
- All required sidewalks must be installed at such time that the City of Coldwater's pedestrian network extends to this site or the Planning Commission deems installation necessary.

Ayes: 9

Nays: 0

Motion carried.

OLD BUSINESS

- None.

NEW BUSINESS

4. Resolution 22-35: 2023 Meeting Dates of the Planning Commission

Commission Action: Motion by Commissioner Alsuraimi, seconded by Commissioner DeGroot, to adopt Resolution No. 22-35 (attached in Addendum A), as presented.

Ayes: 9

Nays: 0

Motion carried.

5. Planning Commission By-Laws and Rules of Procedure.

Commission Action: None – Discussion only, with an updated version to be brought back to a future meeting.

6. 2021 Annual Report of the Planning & Zoning Administration.

Commission Action: None – Presentation only.

ADJOURNMENT – Next Meeting Monday, May 2, 2022.

Noting no other business to come before this Commission, Chairman Garn, adjourned the meeting at 6:19 p.m.



Shauna Chávez
Deputy City Clerk

**CITY OF COLDWATER
RESOLUTION NO. 22-35**

A RESOLUTION REGARDING THE 2023 MEETINGS OF THE COLDWATER PLANNING COMMISSION:

WHEREAS, pursuant to Section 5(2) of Act 267 of 1976, the Open Meetings Act, the Coldwater Planning Commission must establish and post notice of its regularly scheduled meetings; and

WHEREAS, regular Planning Commission meetings are held at 5:30 p.m. local time on the **first Monday** of each month in the Coldwater City Council Chamber located at One Grand Street, Coldwater, Michigan, unless otherwise stated; and

WHEREAS, a regular meeting may be rescheduled or canceled or a special meeting may be called upon eighteen (18) hours posted notice; and

WHEREAS, the City of Coldwater will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one week's notice to the City Clerk's office by writing or calling the following: City Clerk, One Grand Street, Michigan 49036, (517) 279-9501; and

WHEREAS, questions regarding meetings should be directed to the Planning and Zoning Administrator at One Grand Street, Coldwater, Michigan, (517) 279-6926;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the **Coldwater Planning Commission Meetings for 2023** are scheduled for the following dates:

January 2
February 6
March 6
April 17 **3**
May 1
June 5
July 17
August 7
September 18
October 2
November 20
December 4

AYES: 9
NAYS: 0
ABSENT: 0

Dated: _____



Aaron Garn, Chairman

Dated: 4/18/2022

CITY OF COLDWATER
PLANNING COMMISSION

BY-LAWS

As originally adopted by the City of Coldwater Planning Commission – March 6, 2001
As revised by the City of Coldwater Planning Commission – June 6, 2022

ARTICLE I
AUTHORITY

These Rules of Procedure are adopted by the City of Coldwater Planning Commission (the “Commission”) pursuant to Public Act 33 of 2008 Michigan Planning Enabling Act, and Public Act 267 of 1976, as amended, the Open Meetings Act.

ARTICLE II
MEMBERSHIP

- 2.1 Members. Members of the Commission shall be as set for by Section 6.15 entitled “Planning Department” of the City of Coldwater Charter. The voting members shall include the Mayor and a member of the City Council and an administrative officer of the City of Coldwater, all of whom shall be *ex officio* members of the Commission.
- 2.2 Terms. The members of the Commission shall serve for three (3) year terms except the *ex officio* members. The Mayor and Council member’s terms as a Commission member shall correspond to their terms as chief elected official and member of Council. The administrative officer’s term shall correspond to the term of the Mayor who appointed him or her.
- 2.3 Attendance. If any member of the Commission is absent from four (4) consecutive regularly scheduled meetings then that member shall be considered delinquent. Delinquency shall be grounds for the City Council to remove a member from the Commission for nonperformance of duty, or misconduct, after holding a public hearing on the matter. The Recording Secretary shall keep attendance records and shall notify the Mayor whenever a member of the Commission is absent from four (4) consecutive regularly scheduled meetings, so the City Council can further action allowed under law or excuse the absences.
- 2.4 Incompatibility of Office. Each member of the Commission shall avoid incompatibility of office as provided in the Michigan Incompatible Public Offices Act, MCL 15.181, et seq. If a member of the Commission accepts appointment to another office, which is an incompatible office with his or her membership on the Commission, then he or she shall resign from the Commission.

2.5 Officers. At the January meeting, the Commission shall elect from its membership a Chairperson, a Vice-Chairperson, and a Secretary who shall serve for a twelve-month period and who shall be eligible for re-election. The officers shall take office immediately following their selection. They shall hold their office for a term of one year, or until successors are elected and assume office.

2.6 Duties.

A. Chairperson

1. The Chairperson shall preside at all meetings of the Commission.
2. The Chairperson shall appoint all committees or advisory committees established and provided by the Commission.
3. Call special meetings pursuant to these By-laws and Rules of Procedure.
4. Represent the Commission along with the City Council selected Commission member before the City Council.
5. Insure all actions of the Commission are properly taken and perform such other duties as may be ordered by the Commission.
6. An *ex officio* member of the Commission is not eligible to serve as the Chairperson.

B. Vice-Chairperson

1. In the event of the absence of the Chairperson or during his or her inability to discharge the duties of the office of Chairperson, such duties shall, for the time being, be performed by the Vice-Chairperson.
2. In the event that both the Chairperson and the Vice-Chairperson are absent from a meeting, the members present shall designate a member of the Commission as acting Chairperson for the meeting.

2.7 Vacancies. If a vacancy occurs on the Commission, the vacancy shall be filled for the unexpired term in the same manner as provided for the original appointment. If a vacancy occurs in the office of Chairperson, the Vice-Chairperson shall serve as Chairperson until a new Chairperson is elected. All Commissioners shall hold office until his or her successor is appointed.

ARTICLE III MEETINGS

3.1 Meeting Notices. Notice of all meetings shall be posted at City Hall according to the Open Meetings Act. The notice shall include the date and time of the meeting.

3.2 Regular Meetings. Regular meetings of the Commission shall be held at City Hall on the first Monday of each month at 5:30 PM, unless scheduled otherwise by the Commission. The meeting schedule for the following calendar year shall be adopted at the first regular meeting in January. The dates and times shall be posted at City Hall in accordance with the Open Meetings Act. Any changes in the date or time of the regular meetings shall be posted and noticed in the same manner as originally established. When a regular meeting date falls

on or near a legal holiday, the Commission shall select a suitable alternate date in the same month, in accordance with the Open Meetings Act.

- 3.3 Special Meetings. A special meeting may be called by the Chairperson or by two members of the Commission upon written request to the Recording Secretary. The business which the Commission may perform at a special meeting shall be set forth in the notice of the meeting. The special meeting shall be conducted as a public meeting of the Commission held in compliance with the Open Meetings Act. Public Notice of the time, date, and place of the special meeting shall be given in a manner as required by the Open Meetings Act, and the Municipal Planning Act if applicable and the Secretary shall send written notice of a special meeting to Commission members not less than 48 hours in advance of the meeting.
- 3.4 Quorum. Five members of the Commission shall constitute a quorum. In order for the Commission to conduct business or take any official action, a quorum shall be present. When a quorum is not present, no official action, except for closing the meeting may take place. The members of the Commission may discuss matters of interest, but may take no action until the next regular or special meeting.
- 3.5 Hearings. Hearings shall be scheduled and due notice given in accordance with the Open Meetings Act and the Planning Enabling Act and Zoning Enabling Act as may be applicable.

Public hearings conducted by the Commission shall be run in an orderly and timely fashion. This shall be accomplished by the following procedure:

- A. The Chairperson shall open the hearing indicating the basic nature of the request, citing public notice in official newspaper, and notification of neighboring properties (if applicable).
- B. The Chairperson shall announce the order of the hearing which is as follows:
1. Review by City staff/professionals.
 2. Comments and explanations by applicant.
 3. Questions from the Commission.
 4. Responses by City staff/professionals and/or applicant.
 5. Opening of hearing for public comments.
 6. Close hearing to public comments.
 7. Responses by City staff/professionals and/or applicant.
- C. Public comment during hearings shall be limited to five (5) minutes per person. By Consensus of the Commission, additional speaking time may of two (2) minutes be allotted to a member of the public to present additional information by a two-thirds vote of the Commission.

3.6 Public Participation. All regular and special meetings, hearings, records and accounts shall be open to the public. The following procedures shall apply for public comment during all regular and special meetings.

- A. All public comment on all agenda items and non-agenda items outside of public hearings should be presented at the beginning of the meeting where provided in the printed agenda. After that point during the meeting, public comment is normally not allowed; however, the Commission may direct questions to members of the public. Public comment is at the beginning of the meeting so the Commission can hear concerns and questions before acting on an issue. Those making public comment are expected to be familiar with the issue and have prepared comments ahead of time. To help the public in preparing for the meeting any written material shall be made available without cost for members of the public asking for a copy prior to the meeting.
- B. Public comment during the public comment section of the agenda shall be limited to five (5) minutes per person. Information and are limited to no longer than two (2) minutes per person. By consensus of the Commission, additional speaking time may be allotted to a member of the public to present additional information.
- C. Public comments on agenda items which have had a previous public hearing may be made at the public comment portion of the meeting. Such comments are for the purpose of presenting new information and are limited to no longer than two (2) minutes per person. By two-thirds consensus of the Commission, additional speaking time may be allotted to a member of the public to present additional information.
- D. Where determinations of appropriateness of comments are necessary, the decision shall be made by the Chairperson.

3.7 Motions. Motions shall be restated by the Chairperson before a vote is taken. The name of the maker and supporter of the motions shall be recorded.

3.8 Voting. An affirmative vote of the majority of the members of the Commission present at a meeting shall be required for the approval of any requested action or motion placed before the Commission, unless statute requires an affirmative vote of the majority of the total membership which is five members. Voting shall ordinarily be voice vote; provided however that a roll call vote shall be required if requested by any Commission member or directed by the Chairperson.

All members of the Commission including the Chairperson shall vote on all matters. Any member may be excused from voting but only if that person has an actual conflict of interest as set forth in Section 8 herein. A motion and a vote are needed to allow the member of the Commission to abstain.

- 3.9 Order of Business. A written agenda for all regular and special meetings shall be prepared as follows. The order of business shall be:
- A. Call to Order/Attendance.
 - B. Approval of Minutes.
 - C. Public Hearings.
 - D. Public Comments.
 - E. Old Business.
 - F. New Business.
 - G. Communications.
 - H. Director’s Report.
 - I. Adjournment.
- 3.10 Rules of Order. All meetings of the Commission and any committees shall be conducted in accordance with generally accepted parliamentary procedure, as governed by “Robert’s Rules of Order”.
- 3.11 Notice of Decision. A written notice containing the decision of the Commission will be sent to the applicant of the request.

**ARTICLE IV
MINUTES**

Commission minutes shall be prepared under the supervision of the Recording Secretary. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and recording of votes; complete statement of the conditions or recommendations made on any action; a recording of attendance. All communications, actions, and resolutions shall be attached to the minutes. The official records shall be deposited with and kept by the City Clerk/Recording Secretary.

**ARTICLE V
STAFF**

- 5.1 Recording Secretary. The City Clerk shall be the Recording Secretary of the Commission. The Recording Secretary shall keep minutes of all meetings of the Commission and sign the adopted version of the minutes. The Recording Secretary shall be responsible for all notices pertaining to meetings and recording of official acts of the Commission.
- 5.2 Planning and Zoning Administrator. The Planning and Zoning Administrator shall be responsible for all agendas, staff reports, correspondence and notices pertaining to meetings and official acts of the Commission.

**ARTICLE VI
OPEN MEETINGS AND FREEDOM OF INFORMATION PROVISIONS**

- 6.1 All meetings of the Commission shall be opened to the public and held in a place available to the general public.
- 6.2 All deliberations and decisions of the Commission shall be made at a meeting open to the public.
- 6.3 A person shall be permitted to address a hearing of the Commission under the rules established in Subsection 3.5, and to address the Commission concerning non-hearing matters under the rules established in Section 3.6 to the extent that they are applicable.
- 6.4 All records, files, publications, correspondence, and other materials are available to the public for reading, copying and other purposes are governed by the Michigan Freedom of Information Act.

**ARTICLE VII
ANNUAL REPORT**

The Commission shall, before the 31st day of March of each year, submit to the City Council, a written report of its activities covering the previous year, indicating the status of planning activities including recommendations regarding actions by the City Council related to planning and zoning.

**ARTICLE VIII
CONFLICT OF INTEREST**

- 8.1 A Commissioner shall vote on all matters unless there is a legitimate conflict of interest. If a Commissioner has a conflict of interest as to any matter before the Commission, he or she shall not vote on the matter. A motion made and a vote taken shall be required as laid out in section 3.8.
- 8.2 As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
 - A. Issuing, deliberating on, voting on, or reviewing a case concerning him or her.
 - B. Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by him or her or which is adjacent to land owned by him or her.
 - C. Issuing, deliberating on, voting on or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
 - D. Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to him or her.
 - E. Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents-in-law, grandparents in-law, or members of his or her household.
 - F. Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is:

1. an applicant or agent for an applicant; or,
2. has a direct interest in the outcome.

8.3 If there is a question whether a conflict of interest exists or not, the question shall be put before the Commission. Whether or not a conflict of interest exists shall be determined by a majority vote of the remaining members of the Commission.

8.4 When a conflict of interest exists, the member of the Commission shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:

- A. Declare a conflict exists at the next meeting of the Commission;
- B. Cease to participate at the Commission meetings, or in any other manner, or represent one's self before the Commission, its staff, or others, and;
- C. During deliberation of the agenda item before the Commission, leave the meeting or remove one's self from the front table where members of the Commission sit, until that agenda item is concluded.

ARTICLE IX AMENDMENTS

The Commission may amend these rules by a concurring vote pursuant to Subsection 3.8, during any regular meeting, provided that all members have received an advance copy of the proposed amendments at least three days prior to the meeting at which such amendments are to be considered.

ARTICLE X ADOPTION

These Planning Commission Bylaws and Rules of Procedure were adopted at a regular meeting of the Commission held on June 6, 2022.

ARTICLE XI FILING

Filed with the City Clerk on June __, 2022.

Susan Heath, City Clerk

Public Meetings Streaming, Recording & Retention SOP

Effective Date: 5/13/2022

BACKGROUND INFORMATION: In order to promote transparency, public participation and access to municipal decision making, the City of Coldwater offers online live video streams and recordings of public meetings. This standard operating procedure is intended to establish video streaming, recording and retention protocols for public meetings held in the HLB Council Chambers.

RECOMMENDED AND PREPARED BY: Patrick Pool

DEPARTMENT: IT

PURPOSE: This standard operating procedure identifies the guidelines and standards staff will use to manage video streaming and recordings of public meetings, identifies the potential for risk to the City of Coldwater and mitigation measures, identifies personnel responsible to facilitate the meetings and identifies the retention period of the recordings.

GUIDELINES AND STANDARDS:

The IT Department is responsible for managing the staff necessary to facilitate public meetings.

Appropriate staff are responsible for notifying the IT Department of all new and/or altered public meeting times and/or agendas by email message to itstaff@coldwater.org as soon as such information becomes available.

YouTube videos will be retained online for a minimum period of two (2) years from the date of the meeting. As of the creation of this policy, there is no financial cost for the video hosting to YouTube. As such, IT will review the two (2)-year minimum if a financial cost or other burden is imposed.

At the conclusion of each public meeting, IT will edit the video title to include the date the meeting occurred and add the meeting to the appropriate YouTube channel playlist.

Signage will be posted at the entrance to Council Chambers to ensure that delegations, other individuals or groups making presentations, and members of the general public are aware that all public meetings are being recorded and are available to the public over the Internet.

A disclaimer will be presented on the video stream/recording before and/or after each public meeting as documented in the Risks and Mitigation Measures section of this document.

RISKS AND MITIGATION MEASURES:

As with most other social media platforms, there are currently no commercially available backup solutions designed to protect YouTube data and videos from loss. As such, no backups of the YouTube channel data or videos are saved.

The disclaimer below is to be presented within the YouTube stream before and/or after meetings.

DISCLAIMER START: “Public meetings held in City of Coldwater Council Chambers may be video recorded to promote transparency, public participation and access to municipal decision making. Any meetings or portions of meetings closed to the public will not be recorded. City of Coldwater staff will make every reasonable effort to ensure that live video streams and recordings are available to the public, via the City’s YouTube channel. However, there may be situations where due to technical or staffing issues the video recordings may be delayed or unavailable. The City of Coldwater assumes no responsibility for public meetings that are not video streamed or recorded. Recorded videos will be retained online for a minimum period of two (2) years from the date of the meeting.

The official record of public meetings shall be the written minutes as adopted by the various boards, commissions and City Council. The keeping of a video recording of meetings shall in no way detract or undermine the position of the approved minutes as the official record of boards, commissions and City Council decisions.

Opinions expressed and statements made during a public meeting by members of the public are those of the individual making them, and are not those of City of Coldwater. The City of Coldwater does not endorse or support the views, opinions, standards or information that may be expressed by individuals at a public meeting and which may be contained in the recording. It is possible that statements could be made which may be regarded as offensive, defamatory, incorrect or contrary to law. The City disclaims liability for such statements.

Unless otherwise indicated, copyright to the recordings of meetings made available on the City’s YouTube channel is owned by the City of Coldwater. Permission is granted to produce or reproduce the recordings posted on the website, or in any substantial part of such recordings, for personal, non - commercial, educational and news reporting purposes only, provided that the copied material is not modified or altered and ownership of the material is attributed to the City of Coldwater. For certainty, no person may use the recordings for commercial activity, political party advertising, election campaigns, or any other politically partisan activity.” **DISCLAIMER END**

PROCEDURE MAINTENANCE: The IT Director or designate(s) will review this standard operating procedure annually.

DOCUMENT REVISION HISTORY:

Change Date	Responsible Party	Summary of Change