



**CITY OF DUBLIN  
RECORDS COMMISSION  
MEETING MINUTES**

Date of Meeting: June 9, 2022

Present: Lisa Schoning, Director of Court Services; Stephen Smith, Assistant Law Director; Kathy Eberhart, Resident Representative,

Absent: Jerry O'Brien, Chief Accountant

Date of Next Meeting: December 15, 2022 at 9 a.m. in Council Chambers

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**Roll Call**

Ms. Schoning called the meeting to order at 9:06 a.m.

**Approval of Meeting Minutes from December 2, 2021**

Mr. Smith motioned to approve the minutes from the last meeting. Ms. Eberhart seconded the motion. Motion carried.

**Legislative Affairs (540) –Unfinished business from December 2, 2021**

**540-13-313 "Meeting Audio Tapes and Digital Recordings"**

Change description from "Council, Boards, Committees and Commissions to "Boards, Committees and Commissions".

**Add "Council Video Recordings"**

Description – Video recordings of City Council meetings  
Retention – Permanent  
Media Type – Digital

**Add "Council Audio Recordings"**

Description – Audio recordings of City Council meetings  
Retention – 10 years or until no longer of administrative value  
Media Type – Audio Tapes and/or Digital

Ms. Schoning stated the next order of business was some unfinished business from the last meeting regarding the Legislative Affairs/Council meeting video recordings. We had a request to change those to a permanent record and there were some concerns about the ability to maintain the recordings permanently. The Commission invited Michael Farrar, IT Director and Bob Schaber, IT Network Operations Manager, to answer any questions the

commission has and talk about how those recordings are maintained currently and how we would move forward with maintaining them permanently.

Mr. Farrar stated that moving video over to a permanent record is definitely not a “no” answer, however, there are challenges. Currently, all the videos are recorded and sent up to a third party provider, which is YouTube. That video lives in YouTube and the City does not have a local copy of the video stored within the City’s systems.

Ms. Schoning reiterated that once the video is loaded to YouTube, the City no longer has a copy.

Mr. Farrar confirmed this. He added that he believes there is an opportunity, because we are the owner, to download the video. However, our infrastructure does not allow us to store mass amounts of video. The problem with storing video, just like anything, is it takes up space and video is much more sizable than any other type of document. Storing video would grow and grow and if it were stored on a server, the server would continually need to be built out. The other alternative is to look at a hosted solution, using a third party provider that uses cloud storage. That would be a continuous fee to the City and as we put more video into that repository, the price would most likely go up. There are definitely financial challenges to keeping the videos as a permanent record and then there are the challenges of file types and technology moving on. Perfect example – VHS, CD’s, laser discs are all video technologies that existed and have the capability of transferring and converting them to new technologies, but at a cost. Mr. Farrar has spoken to the Legal department who have said from the legal point of view, the written record from the meeting is the official record. The written record is much more consumable as you can print it, you can repository it physically, and it is much easier to store those file types. That technology has followed a similar trend across the years and that type of technology and file types are easier to convert across with not having to worry about losing audio or visual quality because it is just text on paper. He further added there are definitely more challenges to the video side versus keeping a paper record, but not saying that it is not possible. There are financial and technological challenges that would need to be reviewed, assessed and brought forward to Council or this Commission.

Mr. Smith stated he is with Legal and works with Ms. Readler and agrees with Mr. Farrar in that the minutes are the only thing that counts in terms of the historical record. Once Council approves them, they are the record of what happened regardless of what the video says. He stated the one thing that gives him slight pause is that once the videos are up

loaded to YouTube, the City loses control. Not that YouTube is going to go out of business, but one of the obligations we have under the Public Records Act is to produce records upon demand. Just because we make the videos available on YouTube, it does not satisfy our obligation. If someone wants it, we have to produce it for them. If YouTube shuts its doors tomorrow, we lose access to everything and are unable to produce any record. This causes a slight concern.

Mr. Farrar added that YouTube retains and stores its videos, but eventually purges some of the content. He does not know the retention policy at YouTube but can research it. Another challenge he and Mr. Schaber discussed was if they went with another 3rd Party storage provider in the cloud, the City puts all of its information out there and then the provider sells out. The information could move/migrate to a public facing, unsecured, AWS or Azure environment and that environment becomes compromised, has a loss of data or accidentally gets erased. If the provider does not have good backups in their environment, there is the potential we would lose access to those files. If a file corruption happens, what kind of resources do they have to back up and restore the files? We would have to consider this with whatever provider we have. In addition, to Mr. Smith's point, it is only good until that particular group or entity sells or moves on to something else. Ideally, the City would want to retain the video, to make sure we could point to it locally, but to do that would take a serious investment in infrastructure and storage at a local level.

Mr. Schaber stated he wanted to clarify two things. He wanted to point out that we do not record the videos and then upload them directly to YouTube. The purpose was to stream the videos for public consumption and by default they are recorded in the streaming process and then the public can go out and view them. It was never our initial intent to record videos and make available as recorded content to his knowledge, it was part of a streaming initiative. The second thing is recorded video content is not searchable for context. If this is really for record, we cannot search for content of the video to determine what is there. There is a written component here with it, and that is going to be something you actually go out and retrieve in relation with something else as a request.

Mr. Smith asked who records it for us and is it done internally.

Mr. Schaber answered that there are cameras in the room and the cameras stream the content. When the stream is made available, it is done via a WebEx meeting. There is a link where we simultaneously send the stream to YouTube for public consumption.

Mr. Smith asked if the stream is a WebEx and are they hosting the video.

Mr. Schaber answered that that is a fair statement.

Ms. Schoning states that currently on the retention schedule, 'Meetings, Audio Tapes and Digital Recordings of Council, Boards, Committees and Commissions' are to be kept 'ten years minimum or until no longer of an administrative value'.

Mr. Smith adds from a legal perspective, the moment the minutes are passed, the recording of the meeting no longer has any administrative value. It only has historical value. The minutes win every day of the week even if they are completely opposite of what the video shows.

Ms. Schoning states she was concerned with the '10 year' retention but because it also states 'or no longer has any administrative value' there does not appear to be an issue.

Mr. Smith states that after listening to the representatives from IT describe the issues, this is something that needs to be reevaluated before moving forward. It sounds like permanent status would pose either an undue burden or undue expense on our staff. This is something that needs to be looked at closer before moving forward. Mr. Smith moves to postpone the first item on the agenda to the next meeting so there is more time to engage in more discussions on this issue. Ms. Schoning seconded the motion. The motion carried.

Mr. Smith thanked Mr. Farrar and Mr. Schaber for their information and help.

Mr. Farrar replied to let them know if more information is needed and they will investigate further to help find a resolution to this issue.

Ms. Schoning stated the rest of the agenda is related to Human Resource records. Jennifer Miglietti, Director of Human Resources, has requested the following changes with the exception of one, which Ron Whittington, Safety Administrator/Risk Manager requested. Since Frost Brown attorney, Catherine Burgett has vetted all of the changes, Ms. Schoning would like to have all items read together and then have one motion to approve rather than approve them individually.

**Human Resources (510)**

**510-15-101 "General Insurance Policies"**

Change retention from "20 years" to "Permanent".

**510-95-281 "Disciplinary Actions/Investigations"**

Change retention from "Upon request of employee, 2 years after issuance provided no further disciplinary action has occurred within the 2 years" to "Duration of employment plus 3 years".

**510-11-299 "Disciplinary Actions/Investigations"**

Change retention from "Permanent" to "Duration of employment plus 3 years".

**510-15-413 "Employee Exposure to Blood Borne Pathogens"**

Change retention from "Permanent" to "Duration of employment plus 30 years".

**510-11-080 "Employee Grievances – Disciplinary Procedures"**

Change retention from "Permanent" to "10 years"

**510-15-081 "Employee Grievances – Non-Disciplinary Procedures"**

Change retention from "7 years" to "10 years"

**510-15-081 "Employee Retention"**

Change description to "Individual personnel files, compensation records, performance appraisals, tuition reimbursement, medical histories, medical examination results, medical opinions, first aid records, description of treatment and employee medical complaints"  
Change retention from "Permanent" to "Duration of employment plus 7 years".

**Add "Employee Insurance Information, Benefits and Claim Forms"**

Retention – 6 years after termination of plan design  
Media Type – Paper and/or Digital

**Add "Reclassifications"**

Description – Change of position title/description  
Retention – 3 years  
Media Type – Paper and/or Digital

**510-13-401 "Fitness for Duty Test"**

Change retention from "7 years" to "Duration of employment plus 3 years".

**510-15-412 "Hepatitis B Vaccinations"**

Change retention from "1 year after termination" to "Duration of employment plus 30 years".

**510-13-141 "Personnel Recruiting & Selection for Hires"**

Change retention from "Permanent" to "3 years unless merged into employment file".

**510-13-403 "Personnel Recruiting & Selection for Non-Hires"**

Change retention from "1 year" to "2 years".

**510-13-405 "Worker's Compensation; Excess Insurance and Volunteer Coverage Applications and Policies"**

Change retention from "Permanent" to "Until statutorily dead or settled plus 6 years".

Ms. Schoning stated that the item number for 'Employee Grievances Non-Disciplinary Procedures' on the agenda is incorrect and should be 510-92-327. The two items that are being added were part of the 'employee retention' series and have been separated to assign them a different retention period.

Mr. Smith added that he has talked to both Ms. Readler and Ms. Burgett about these retention increases and that they are being done to protect the city. Employees, who leave the City, have a 2 year period they can sue the City, which is why they are increasing the retention to 3 years. The one item being changed to permanent retention is different from the videos because it is paper and easier to store. There is sound legal reasoning for how the retention period is being moved out that enables the City to keep the documents in case the City is sued and/or need to provide the documents in a lawsuit. Mr. Smith moves to approve those items on the agenda with the amendment to correct the item with the incorrect number. Ms. Eberhart seconded the motion. The motion carried.

**Roundtable**

Mr. Smith requested the next meeting fall after the first Council meeting in December. The Clerk of Council has questions regarding the videos and there is an agenda meeting every Thursday prior to Council meetings.

The next commission meeting date is Thursday, December 15, 2022 at 9 a.m. The meeting will be held in Council Chambers located at 5555 Perimeter Dr.

**Adjourn**

Ms. Schoning motioned to adjourn the meeting. Mr. Smith seconded the motion. The motion carried. Meeting adjourned at 9:28 a.m.

Sharon Hague  
Recording Secretary  
6/09/2022