

**URBANA PUBLIC TELEVISION
COMMISSION**

DATE: September 12, 2005
Monday, 12:00 PM

PLACE: City Council Chambers, Urbana City Building

MEMBERS PRESENT

Barb Gladney
Peter Resnick
Greg Boozell
Kathy Jessup
Durl Kruse

MEMBERS ABSCENT

Dana Mancuso
Danielle Chynoweth

STAFF PRESENT

Chris Foster

Call to Order

Chair Gladney called the meeting to order at 12:04 PM

Approval of Minutes

The minutes from June 13, 2005 were approved.

Correspondence

No correspondence

Staff Report

UPTV Coordinator updated the Commission on recent events at UPTV. Studio is ready to be used, working on policies, have produced several programs for UPTV, Videotoaster 4 is finally working correctly after many problems, and UPTV is currently researching options on future equipment upgrades.

The new outreach coordinator Kali Boyden provided a report for the commission.

Commissioner Boozell wanted to make sure that the Commission received a consistent activity report every meeting. Commissioner Jessup wanted to make sure that the studio was included in that report.

Chris Foster spoke on the August 29th open house that UPTV held to inform the public about the future of public access in the Champaign-Urbana community.

Chair Gladney invited everyone to come and listen to Sue Buske on Saturday, September 17th at the Champaign City Council Chambers.

Audience Participation

No audience participation

Old Business

Chair Gladney wanted to make sure that the grievance procedures were reviewed by the city attorney once he has been hired.

New Business

Chris Foster informed the Commission about two complaints received about a program on Saturday nights that may have included pornography. City administration has asked UPTV not to air the program in question until the UPTV Commission could review it and provide their opinion on the content.

Commissioner Boozell made it clear that the FCC does not regulate programming on public access television. Legally, obscene content is not to be allowed on the air and is not protected speech by law. Indecent speech includes sexually explicit, language, hateful speech. This kind of programming can be aired but it is to be played at a later hour.

Chris Foster agreed that everyone including the city administration needs to be better educated on the legal aspects of public access programming.

Chris Foster recommends that UPTV place the program back on the schedule and that he record the program for review purposes.

Commissioner Jessup clarified that we do have a disclaimer.

Commissioner Boozell felt that if a viewer has a grievance to file that the Commission schedule special meetings to discuss grievances and not pull any programs from the air until the Commission has had an opportunity to review.

Commissioner Boozell added that the reason the city should not pull anything from the air before the Commission reviews is that they are opening themselves up to civil litigation if they are pulling something that is not obscene. The only government agency that can decide if something is obscene is the court.

Commissioner Jessup stated that it was too much of a burden on the staff to record the program weekly.

Commissioner Boozell felt the staff should monitor for a couple weeks so they can decide to schedule but ultimately the burden of proof is on the accuser.

Chris Foster played a video to help educate the commission on the legalities of public access programming content.

Commissioner Resnick was curious about how programs were V-Chip marked. Commissioner Boozell said that the viewers need it themselves.

Commissioner Jessup felt that UPTV needs to have a complaint form on-line so people could easily make formal complaints and gives UPTV concrete evidence about who is making complaints.

Commissioner Boozell said if we receive a complaint about something obscene we need to give them the State's Attorney's phone number.

UPTV Commission recommended that GAY USA be put back on the channel and that nothing gets pulled from the air until the commission has reviewed the complaint and made a recommendation. UPTV was also to create a complaint form for viewers.

UPTV created some studio policies for the Commission to review. Policies were set-up just like the ones that are in place to reserve the city council chambers.

Commissioner Resnick felt that no fee should be charged to those that use the studio during normal business hours.

Commissioner Boozell felt that charging fees for the studio is contradicting what the studio is for. We wanted to provide a simple a free place for people to broadcast and charging fees may prevent people from using the studio. He also recommended that we utilize Friday's nights to encourage studio programs. Fees could be collected if a user uses the studio a large amount of times.

Chair Gladney felt like the commission should recommend there be no fees applied for the first 6 months and see how things work.

Commissioner Boozell said that the Outreach Coordinator should host a weekly show to try and generate use and interest in the studio. He also asked if there was going to be a training class on how to use the studio.

Chris Foster stated that UPTV was currently doing that on a one on one basis.

Commissioner Boozell said that the rules need to designate when the studio is available. If the interest grows or seems to be on a different day the times can be changed.

The Commission recommended that UPTV workout a regular schedule for the studio and charge no fees for 6 months.

Commissioner Comments

Chair Gladney wanted to remind everyone about the meeting on Saturday, September 17th at the Champaign City Council members and she also welcomed new Commissioner Durl Kruse.

Announce Next Meeting Date

The next meeting was scheduled for December 12th, 2005 at 12:00 PM at the Urbana City Council Chambers.

Adjournment

The meeting was adjourned at 1:02 PM