

Urbana Public Television Commission

Meeting Minutes

Date: September 11, 2006
12:00 p.m.

Place: Urbana City Building-City Council Chambers
400 South Vine Street, Urbana, IL

Members Present

Barbara Gladney (chair), Carol Inskeep, Durl Kruse, Dana Mancuso, Kathy Wallig, Danielle Chynoweth, Peter Resnick

Jim Getz (City attorney) Chris Foster (staff)

I. Call to Order

Chairperson Gladney called the meeting to order at 12:00pm.

II. Roll Call

Attendance noted by Chris Foster.

III. Approval of Minutes

Motion to adopt the minutes as presented made by Durl Kruse and seconded by Peter Resnick. Minutes accepted as printed.

IV. Approval of Agenda

None

V. Correspondence

Chris Foster previewed the complaint about a public access program.

VI. Staff Report

A. UPTV Coordinator- UPTV Update

Chris Foster reviewed the Outreach Coordinator's report in her absence. He then reviewed the handout detailing the programs and programming hours on UPTV. He also distributed a copy of PEG channel annual report and reviewed the progress of goals. In addition, he reviewed the success of the first Live Call In Show and the recent studios shows.

Barbara commented that program promotion could be better.

Danielle commented that an audience listserv could also be created through the website.

Danielle asked why the Urbana Free Library Commission meetings were not broadcast.

Chris and Carol replied that they are not broadcast now, but they have discussed it.

Peter Resnick mentioned that the programming is still not detailed on the digital information feed and the channel is still labeled government access programming.

Chris replied that he will look into it.

VII. Audience Participation

Moved to New Business

VIII. Old Business

A. Franchise Renewal update

Barbara Gladney updated the commission that the meeting for the RFP for the consultant took place on September 6th and was slated to go out on the end of the month to various consultants and listed on Champaign's website. The hope is the consultant will be in place in January.

B. Compliance Meeting

Durl Kruse will be attending the compliance meeting on September 26th.

C. Public Access Committee

On July 19th, the commission thanked the committee and requested that the committee continue and be available to work with the consultant. The committee may begin meeting in October.

Barbara Gladney requested the representatives from the parks, school and libraries to put together their vision of a community media center in terms of programming, training and resources.

Barbara Gladney requested suggestions of a representative from UPTV on the franchise negotiating team.

Peter Resnick volunteered to be the representative, time permitting.
Durl Kruse also volunteered to be involved in the process.

Danielle made a motion that Durl Kruse sit on the negotiating team. Peter Resnick seconded.

Barbara amended the motion to include wording specific to the Urbana segment of the team.

Motion passed unanimously and will be presented to Urbana city council.

IX. New Business

A. Public Access Complaint

Chris Foster reviewed the nature of the complaint.

The floor was opened to the representatives in the audience who desired to speak about the complaint.

Francis Baker presented her concerns and recommendations regarding the program under review.

Lee Melhado spoke about her concerns regarding the program.

Danielle asked if the program was a series?

Chris responded that the program sponsor, Tim Brumleve, brought in various programs with different content and titles.

Danielle asked if the airing of the program was pending the decision of the commission?

Chris responded that Mr. Brumleve brought in another program for broadcast, but they were waiting for legal to consider the content of the program.

Danielle stated that the city of Urbana does not condone the content of material. It is the public right of way. It is not correct that the city of Urbana airs programming.

Kathy Wallig asked when the program was pulled in relation to the official complaint.

Chris Foster replied it aired one week after the formal complaint was submitted and then it was pulled due to not meeting technical standards.

Kathy Wallig asked if Mr. Brumleve was given the opportunity to correct the areas of deficiency within the technical standards.

Chris replied that he was given that opportunity and he brought in a new program.

Kathy Wallig asked who was making the decision to pull the program.

Chris replied that he conferred with Barbara and Jim Getz, City Attorney.

Kathy Wallig asked how the deficiencies in technical standards could be overcome and perhaps reviewed.

Chris replied that we could preview the beginning and end of the program for technical requirements.

Danielle suggested that the producer and local sponsor should be clearly identified at the beginning and end of every program.

Mr. Brumleve stated that his program contains a sermon given in a Christian church by America's Promise Ministries. His other program is put on by Prayer Network.

Durl Kruse asked Mr. Brumleve if he watched the programs he submitted?

Mr. Brumleve replied that he did watch the program under complaint and he was aware of the technical problems.

Durl Kruse asked whether Jim Getz' legal interpretation fits the definition of prohibited content or not. Chris determined that it was technically deficient, but what about the content?

Jim Getz replied that he reviewed part of the DVD. He suggested that disclaimers be prominent and that the titles match the content. Regarding the question, is this complaint on content well founded and does the revised program fit the contours of acceptable content, he stated the content may cross a line, but in its present form he does not think that makes it a transgression of first amendment protection. He took into consideration and discussed FCC regulations, state of federal law, and internal policies of access channel. He suggests that a disclaimer runs stating "UPTV believes that when it comes to controversial content and programming the correct response is to encourage more speech as opposed to enforcing silence. UPTV encourages anyone who disagrees with the program to produce counter-programming presenting an opposing point of view." He also suggested making sure that there are disclaimers and there is not incitement, but that we don't censor controversial views as long as they don't cross the line even though its offensive, controversial and objectionable.

Barbara Gladney clarified that the program does not meet criteria that could have it taken off the air, but other programs that may air in the future may. Could this program be considered a program that might be put at a later time slot?

Jim Getz replied yes, as long as programs of this type are treated similarly. He suggested improving the disclaimers, using wording such as "this doesn't represent the views of the City of Urbana and an explicit statement of who is sponsoring it at the beginning and end, quoting the policy about encouraging opposing points of view.

Peter Resnick expressed concerns over pre-screening programs for content. We have to rely on submitters to take responsibility for informing us unless complaints are filed. He also suggested that if someone makes a complaint, we have to have the ability to call a special meeting.

Mr. Brumleve expressed concern about being technically able to put a title and name into the program.

Peter Resnick replied that Chris could help him do that.

Durl Kruse expressed concern over people submitting tapes that vary in content different from the title of the program.

Chris replied that if the producer of the program was at the beginning, that was considered okay. Very few programs have the sponsor at the beginning. A graphic will have to be produced with each sponsor's name.

Barb suggested a membership meeting to review the technical requirements of the station.

Danielle expressed concern over rendering controversial programs to obscure times. It is indecent content that has to be aired at later times. In addition, it is implied that a person will lose their membership upon providing indecent programming without letting staff know, but the policies maintain that there is a 90 day suspension and a process that members go through that may involve suspension but not immediate revocation. Also it isn't a violation not to have the title and sponsor at beginning. Most of the people who are members do not have the technical savvy to input that on their programs.

Francis Baker asked about the copyright permission regarding the program.

Chris replied that Mr. Brumleve brought in permission to broadcast the earlier programs.

Barbara Gladney instructed Mr. Brumleve to talk to Chris further about the program.

X. Adjournment

Barbara Gladney adjourned the meeting at 1:24pm.