

MINUTES

(Amended at the 7/7/04 Commission meeting, see underlined areas below)

Oshkosh Cable Television Advisory Commission

Regular Meeting

May 5, 2004

The regular meeting of the Oshkosh Cable Television Advisory Commission was held at 4:00 p.m. on May 5, 2004 in Room 404 of City Hall.

The meeting was called to order by Chairman Witte and roll call was taken. Present were members Mr. Williams, Mr. Tower, Mr. Kerkhof and Mr. McCormick. Also present were Jon Urben, OCAT Cable Media Services Director. Chairman Witte then introduced the two new members to the Commission, Ms. Lyn Miller and Ms. Robin Asbury. The Commission welcomed the new members.

Chairman Witte then asked for consideration of the minutes from the January 7 meeting. It was moved by Mr. Tower, seconded by Mr. Williams, that the minutes be approved as presented. Motion carried unanimously.

Chairman Witte then asked for any communications from cable subscribers or the general public. Mr. Urben then distributed a citizen complaint filed by Dan Rylance at 602 E. Parkway. Mr. Rylance's complaint was against a program produced by a local resident producer (Gordon Doule) on his show "Vox Pop" shown the week of April 10 on CATV 2. Mr. Rylance noted he felt the comments of Mr. Doule and his guest (State Representative Carol Owens) was "homophobic, cruel and totally lacking in fairness to the gay/lesbian community of Oshkosh." Mr. Urben then showed a tape of the specific area of the program in which Mr. Rylance took exception. Chairman Witte then asked if either Mr. Rylance or Mr. Doule would care to address the Commission. Mr. Rylance reiterated the basis of his complaint. He then asked if Dr. Denis Clark from UW-Oshkosh could speak on the matter. Dr. Clark also expressed her outrage towards the comments said on the Vox Pop program. She noted the comments on the program could be construed as hate speech and slanderous language that could endanger her reputation. Mr. Doule then spoke and expressed his reasoning for his comments. Upon further questions, Mr. Rylance noted they would like an invitation to appear on Vox Pop with Mr. Doule to explain their side on the matter. Mr. Doule noted he would be agreeable to this.

Chairman Witte then opened the discussion to the Commission. Ms. Asbury was personally offended by the comments on the program, and questioned whether the program was libelous or if there should be equal time for opposing views. Mr. Kerkhof noted he didn't think equal time was required on access channels, which Mr. Urben confirmed. Mr. McCormick noted he felt such programs needed balance, and felt the

comments could be construed as hate speech. Mr. Williams noted past commission members spent a great deal of time preparing and researching the policies to keep the first amendment rights of citizens balanced with having citizens taking full responsibility for their comments and/or actions. He felt the current policies were well designed to do both. After further discussion by commission members, Chairman Witte noted it was not the duty of the cable commission to monitor or censor the first amendment rights of any producers, and he noted he felt Mr. Doule produced this program in proper CATV 2 procedures. Mr. Witte noted there seemed to be a compromise between both parties, and asked them to try to work out a date where they could both appear on Mr. Doule's program. Both parties then left the meeting to work out a date to tape this program. It was moved by Mrs. Miller, seconded by Mr. Kerkhof, that the Oshkosh Cable Television Advisory Commission formally deny Mr. Rylance's complaint against Mr. Doule and his program. Motion carried unanimously.

There being no further communications from the general public, Chairman Witte asked for the Report of the Franchisee. It was noted that former TW representative Barb Pandolfo has a new position within TW and will no longer be attending the meetings. She forwarded information that Steve Kim (Esq.) will be the new representative. Mr. Urben distributed a new cable commission member list for all parties with contact information.

There being no Report of OCAT or any Unfinished Business, Chairman Witte then asked for any New Business. Mr. Urben distributed drafts of the CATV 2 policies and procedures for discussion. He noted this recent complaint has been a healthy exercise for both staff and the commission in testing procedures for such incidents. Mr. Urben then distributed a new citizen complaint form they will be implementing for any future such incidents.

Mr. Urben also noted it was clear the CATV 2 procedures needed some adjustments, which he then presented in the form of several new revisions and updates to the document. Many of these update simply clarified procedures as to how content complaints would be addressed for any possible future incidents. After some discussion the Commission agreed to review the new proposals and table this item for discussion at the July meeting. Mr. McCormick complimented both Mr. Witte and Mr. Urben for the procedures used in the handling and hearing of this complaint.

Still under New Business was the annual election of Commission Chair and Vice-Chair for one-year terms. It was motioned by Mr. McCormick, seconded by Mr. Williams, that Mr. Witte be re-elected as Chair of the Commission. Mr. Witte accepted the nomination. No other nominations were presented. Motion carried unanimously. It was then motioned by Mr. Witte, seconded by Mr. McCormick that Mr. Williams be re-elected as Vice-Chair of the Commission. No other nominations were presented. Motion carried unanimously. Both terms would run until June 2005.

Chairman Witte then asked for the date of the next meeting. It was noted the next Cable Commission meeting would be scheduled for Wednesday, July 7, 2004 in Room 404. It

was motioned by Mr. Tower, seconded by Mr. McCormick, that the Commission adjourns at 5:02 p.m. Motion carried unanimously.

Respectfully submitted,

Jon G. Urben

OCAAT Cable Media Services Director
City of Oshkosh

cc: Mr. Richard Wollangk, City Manager
Mr. Steve Kim, Time Warner