

# MINUTES

Oshkosh Cable Television Advisory Commission

## REGULAR MEETING

November 7, 2001

The regular meeting of the Oshkosh Cable Television Advisory Commission was held at 4:00 p.m. on November 7, 2001 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, Mrs. Sieber and Mr. McCormick. Also present was Barb Pandolfo, Time Warner Public Relations Manager and Jon Urben, Executive Director of Oshkosh Community Access Television.

Chairman Witte then asked for consideration of the minutes from the 9/5/01 meeting. It was moved by Mr. Williams, seconded by Mr. McCormick, that the minutes be approved as presented. Motion carried unanimously.

Being that there were no communications from cable subscribers or the general public, Chairman Witte moved to the next agenda item: "Summary of the new Time Warner/City of Oshkosh Cable Franchise Agreement" presented by City Attorney Warren Kraft. Mr. Kraft summarized the entire negotiations the City and Time Warner undertook in resolving the next cable franchise agreement. (Attached is a memo presented to the commission summarizing the cable franchise renewal process).

Mr. Kraft noted the last contract was signed in 1987 with then Warner Cable. He noted the Cable Commission was created from 1987 contract to monitor the franchise and develop the PEG access facilities. He distinguished the differences between the two documents that were created as part of the cable agreement: the cable ordinance and the franchise agreement. He noted the cable ordinance is included as part of the City's rules and regulations code book and it lists the general rules of operation for any cable operator coming in to do business within the City. However, there are certain sections of the cable ordinance that can be modified in language detailed in a franchise agreement customized to each cable operator. Mr. Kraft noted the cable franchise agreement is non-exclusive, meaning if other cable operators wanted to come into the City they could as long as they follow the rules set in the franchise ordinance.

Mr. Kraft then went point-by-point down the highlights of the cable franchise agreement, including franchise fee, PEG Access channels, PEG Access capital support, pass-through fees, contract term, regulatory requirements, equipment purchasing program and more. Mr. Kraft noted that one change to the new contract was that a pass-through fee given to the cable subscribers would generate PEG access capital support. He noted the fee would start at 35 cents per month per subscriber, which would build, to 40 cents per

Oshkosh Cable Television Advisory Commission

November 7, 2001

Page 2

month by 2015. There was then discussion by the Commission on the overall impact of the contract for the City. Mr. Kraft and Mr. Urben noted that in general the City achieved the majority of its goals within the negotiations, which were to protect the City's regulatory interests as it relates to cable issues and ensure a strong future for PEG access through capital support and additional access channels. Mr. Urben thanked Mr. Kraft, Chairman Witte, City Manager Richard Wollangk and Attorney Brian Grogan for all their assistance and perseverance in the four-year negotiations. Mr. Urben also thanked the Oshkosh Common Council for their support during the process.

Some discussion was then heard on what would be the next role of the cable commission as it looks towards the future plans of OCAT. Mr. Kraft noted that while the administration has had only a limited time to discuss future plans, it was discussed that the cable commission would have a major role in developing a master plan for implementing future needs of OCAT and PEG access. Mr. Urben noted one of the most driving forces in this process was the need for a new facility with more space. In addition, with an additional access channel there will be a need for a re-allocation of programming to be shared among the three channels. New equipment and facilities will also be required. Mr. Urben noted all of these needs must be reviewed carefully so the master plan can recommend the best course of action in the next several years.

Chairman Witte closed the discussion by again thanking Mr. Kraft for his efforts during the negotiations, and his excellent presentation.

Chairman Witte then asked for the Report of the Franchisee. Mrs. Pandolfo noted Time Warner had incorporated the new pass-thru fee into the November cable bills, with a letter to all cable subscribers alerting them to the change. Mrs. Pandolfo also noted that Time Warner will be adding two additional channels by the end of the year including National Geographic (analog line-up only) and DIY (do-it-yourself) Channel (digital line-up) only.

Chairman Witte then asked for the Report of OCAT. Mr. Urben noted OCAT staff recently presented on the topic of fundraising at the WAPC (Wisconsin Association of PEG Access Channels) fall conference in Wausau, WI on November 2. He noted members were very impressed by OCAT's fundraising program. Mr. Urben also noted OCAT just completed three days of live coverage of the Winnebago County Budget Sessions, running November 5-7. He also outlined upcoming OCAT local events coverage, including the Oshkosh Holiday Parade (11/10), the Oshkosh Youth Symphony Fall Concert (11/12), the Oshkosh Today Holiday Special (11/28), the Oshkosh Veterans Day Program (11/11), the Oshkosh Symphony Orchestra Holiday Concert (12/5) and the Pearl Harbor Day Remembrance Program (12/7). Mr. Urben also noted that the OCAT

2002 budget was very tight, reflecting the City budget overall. He noted that due to higher health insurance costs and other factors the 2002 OCAT budget provides for only the bare minimum of OCAT services. He hoped the 2003 budget would prove more favorable for building the program with additional staffing and operational needs.

Chairman Witte then asked for the Report of the Friends of OCAT. Mr. Urben noted the Friends Football Frenzy event on October 21 raised \$3,650 for the non-profit group. The proceeds will be used to start a designated fund at the Oshkosh Area Community Foundation. Mr. Urben also noted that the 2002 OCAT Cards were sent out to all members on November 1. The cards are still only \$10 and offer discounts and offers to 13 area businesses. Members purchasing the cards get on the Friends of OCAT database to received the quarterly OCAT News newsletter, a vote at the annual meeting and invites to special Friends events like the Football Frenzy. Mr. Urben also noted the Friends of OCAT Board were excited over the coverage and response of the "Spotlight on Schools" package that debuted this fall. So far the programs have covered South Park, Carl Traeger, Perry Tipler, Merrill and Webster Stanley schools. Finally, Mr. Urben noted the group has also received a very favorable response so far to it's expanded high school sports package which has covered girls swimming, girls volleyball, boys soccer and football. He noted the winter season has them covering wrestling, boys and girls basketball, gymnastics and more.

There being no Unfinished Business or New Business, Chairman Witte then asked for discussion on the next meeting date. After seeing that the next regularly scheduled meeting would have had the commission meeting on January 2, 2002, it was agreed to avoid any holiday conflicts the commission would meet on Wednesday, January 9, 2002 at 4:00 p.m. in Room 406 of City Hall.

Upon motion by Mr. McCormick, seconded by Mrs. Sieber, the Commission adjourned at 4:59 p.m.

Respectfully submitted,

Jon G. Urben  
Executive Director, Oshkosh Community Access Television

cc: Oshkosh Cable Television Advisory Commission Members  
Mr. Richard Wollangk  
Mrs. Barb Pandolfo