

## **Urbana Public Television Commission**

**DATE:** Monday, September 17, 2007 at 12:00 p.m.

**PLACE:** City Council Chambers Urbana City Building

**MEMBERS PRESENT:** Barb Gladney, Greg Boozell, Carol Inskeep, David Adcock, Durl Kruse, Danielle Chynoweth

**MEMBERS ABSENT:** Dana Mancuso, Peter Resnick

**STAFF PRESENT:** Doug Miller, Ronald O'Neal

The meeting was called to order at 12:09 p.m. Minutes from the March 12<sup>th</sup>, 2007 meeting were approved.

### **NEW BUSINESS**

**PUBLIC ACCESS PROGRAM COMPLAINT:** Chairperson Gladney stated that the program "Wake Up America" received its first complaint about a year ago. At that time the UPTV Commission moved the program to a later time slot of 11:00 p.m. on Tuesdays.

City Attorney Ron O'Neal suggested hearing the public's concerns first and then he would address those concerns.

Urbana resident and Jewish Community Relations Committee member, Fran Baker stated that the Anti-Semitic hate speech has once again become a part of the program. She requested to see documentation of the sponsor's right to air the program on public access television. Mrs. Baker also proposed to add "The city of Urbana does not condone or endorse speech that promotes fear, hatred, prejudice, or discrimination toward any group based on religion, ethnicity, race, gender, or sexual orientation." to the disclaimer before and after every public access program on UPTV.

Urbana resident, Sherri Stideman stated that she doesn't want "Wake Up America" or any privately produced public access shown on UPTV.

Champaign-Urbana resident and Chairman of the Jewish Community Relations Council, Paul Likesell is in favor of public access. However, he felt the program went beyond offensive and supported Mrs. Baker's proposed disclaimer as a first step in the right direction.

Urbana resident, Judy Chutcker suggested that the Commission look at hate speech ordinances and laws passed by other municipalities.

Urbana resident and Director of the Champaign-Urbana Jewish Federation, Lee Milhado placed a complaint that UPTV shows are unannounced on channel 19 (TV Guide) and the website schedule was not updated.

Chairperson Gladney assured Mrs. Milhado that the Commission would address her concern and should be able to remedy the problem.

Ron O'Neal stated that he has not had the opportunity to watch all the videos submitted by "Wake Up America" sponsor Tim Brumleve, but has viewed a lot of them. He has also looked at creator Tim Pike's website. City Attorney O'Neal is not concerned about protecting the right of Ted Pike or Mr. Brumleve, but concerned about everyone's right to air what they want. City Attorney O'Neal pointed out that UPTV is a PEG channel and has a certain amount of obligations concerning programming to our franchise. He also stated that it would be extraordinarily difficult to find a fine line to prevent certain productions to air and allow others without changing the policies concerning third party videos in the UPTV Policies and Procedures Manual. It is City Attorney O'Neal's legal opinion that the program is not obscene, libel, or slanderous. It does not violate any federal, state, or local laws.

Mrs. Baker suggested that we follow UPTV Policies and Procedures and not ban "Wake Up America", but punish Mr. Brumleve if the program violates standards.

Champaign-Urbana Jewish Federation member, Leanna Costman voiced her concern that the UPTV Commission doesn't preview every video that goes on the air.

City Attorney O'Neal felt that the best way to cope with "Wake Up America" was to provide counter programs such as "Tolerating Intolerance"

Elaine Jacobson wanted to know why the Commission couldn't mimic other communities that have dealt with the same problem.

Commissioner Boozell said he wasn't aware of any communities that have dealt with this problem as far as public access is concerned. He requested to see specific examples.

Commissioner Chynoweth wanted to know the consequences for the city and submitter if copyright permission is not received. She also requested to see Mr. Brumleve's right to air waiver and if he told the station manager about indecent content.

City Attorney O'Neal had the paperwork granting Mr. Brumleve permission to air certain programs on public access television. He also said he will research Commissioner Chynoweth's question.

City of Urbana staff member, Doug Miller said he will try to track down the requested paperwork.

City Attorney O'Neal suggested that the UPTV schedule online should have the sponsorship information of every program.

Commissioner Boozell notified Staff Member Miller that non-local public access programs may run up to four times.

Commissioner Adcock wanted to see Mrs. Baker's disclaimer added before and after public access programs.

Chairperson Gladney suggested the Commission table the discussion.

The next meeting is scheduled for Friday September 21, 2007 at 12:00 p.m. This meeting will consist of two agenda items: ACM Conference Report and Franchise Renewal Update. There was also a meeting set for Friday, October 5, 2007 at 12:00 p.m. to continue the discussion on the Public Access Program Complaint.

The meeting adjourned at 1:31 p.m.