

AGENDA
MAPLEWOOD CITY COUNCIL
MANAGER WORKSHOP
5:00 P.M. Monday, March 25, 2013
Council Chambers, City Hall

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. UNFINISHED BUSINESS**
 - 1. Cable Commission Discussion (Additional Information Provided at Meeting)
- E. NEW BUSINESS**
 - None
- F. ADJOURNMENT**

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AGENDA REPORT

TO: Mayor and Council
FROM: James W. Antonen, City Manager
DATE: January 30, 2013
SUBJECT: **Cable Commission Discussion**

INTRODUCTION

Time has been set aside for discussion of the Ramsey/Washington Cable Commission. The Council and Staff have some concerns on the operation and content of the Public Access Channel 15. Apparently over the years several complaints have been received by the Commission on the content of several public access shows, namely the Bob Zick "Inside Insights" program.

While I will not repeat these complaints which have been lodged with the commission both in verbal and written form, it appears that little has been resolved. The main focus is the RWCC applying fair and impartial community standards to its programming. The other question the Council may review is the simple questions are we receiving value for our cable franchise fee funds both PEG and the 5% Franchise fee. If the answer to either of these two questions is no or unknown we then should further study the matter.

On a personal note I have grave reservations on the content of some of these shows. It appears that Inside Insights is the main violator. I have personally observed over the past four years, instances of hate speech. One example was the acquisition that Mayor Rossbach was somehow responsible for the death of citizen and that this citizen was somehow a homosexual pedophile. Recently the hosts of this program have accused another Council member of being a drunk and asking the public to boycott his business. This ridicule and juvenile behavior extends to other Council members, which has resulted in the public defacing of Council members pictures and/or placing them on liquor bottles.

While as a public servants we are somehow expected to have a thick skin. I believe there are limits to suffer at the hands of fools and I do not believe that we are getting our money's worth from our cable franchise fees.

RECOMMENDATION

There are several options you may wish to consider. The first is to do nothing. The second is to ask for a formal review of this situation by the RWCC in regards to what are appropriate community standards. The third option is to consider other sources and uses for Maplewood's PEG and franchise fees.

Attachment:

1. *Written Complaint to RWCC*

Programming Complaint SUBURBAN COMMUNITY CHANNELS

Name of Complainant Kim Facile	Date December 4, 2012
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Address/ City/Telephone number/ Email Address 2418 Matterhorn Dr, Maplewood, MN 651.501.0121 Kimfacile@comcast.net
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Primary Compliant Type SCC Public Access Program Complaint
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Program Complaint Description Compliant from Kim received via email “I received a call from Maplewood's City Manager, Jim Antonen, with a complaint that he received from several people about one of Bob Zick's recent shows. I have not personally seen it yet, but wanted to ask you for a copy of it and to alert you that there is a possible violation of programming policies, as I previously understood them. Apparently, in the show he stated the following: 1. He singled out Marv Koppen, one of Maplewood's City Council members, calling him "public enemy number one" and a "drunk", apparently because of his red face 2. He is calling on people to boycott Marv's business It is unclear as to the reason for the above statements. Based on how it was reported to me, they are borderline libel and at minimum are highly offensive, insulting and degrading to Marv. It did not appear to be related to anything Marv has done in his capacity as a councilmember. I ask that you accept this as a written complaint and inform Bob that he may be subject to future action if he continues to make these types of statements.”

Resolution Description

I logged this formal complaint from Kim Facile and investigated the program from 11.28.12 (cablecast program date per Kim). I viewed the program submitted from the live cablecast, which may or may not be the exact content presented live on the channel the night of 11.28.12.

On 12.11.12, I spoke with the responsible party, Bob Zick, to inform him of the complaint and the nature of the complaint. I also discussed with him the responsibilities and obligations of a program submitter. At that time, we discussed the options regarding the program that he may or may not choose to: pull the program, edit the program, or they may choose to do nothing about the program. I also told Bob that any or all individuals mentioned in the program could take legal action based upon the speech contained in the program. I also told him that as program signer, he is solely responsible for any and all speech contained in the program. Bob explained to me that he would review the program produced on that date and consider the discussion and options outlined above and take any appropriate action.

The action described above and taken by staff is standard action taken in response to a formal written program complaint from viewers of programming presented on SCC public access channels 14 or 15.

I viewed the program and found no speech presented that I can take action on, i.e. commercial message or content. Therefore, the action described above is all the action I will be taking regarding the complaint, program, and program producer.

I provided communications regarding this complaint, investigation, and resolution to complainant Kim Facile and Maplewood City Manager Jim Antonen (12.19.12)

Resolved: X

Date of Resolution: _12.12.12