

Meeting Minutes

TELECOMMUNICATIONS COMMISSION MEETING

Thursday, June 17, 1999 - 6:00 P.M.

City Water Department - 300 Bliss Avenue

Present: Chairman Rackow, Aldermen Walther, Phillips; Commissioners Bartosz, Curtis, Patton, Wyhuske

Excused: Alderman Walther, Commissioner Colantonio

Also

Present: Telecommunications Coordinator Quirk, Clerk Zdroik, Chuck Kell (Whiting), Tom Hagen (Whiting), Meg Erler (V of Plover), Alderperson Aldinger, Susan Kampmeier (Journal), Mike Kemmeter (WIZD), Tim Vowell (Charter), Scott Behn (Charter), Tim Ransberger (cable company visitor)

1. Approval of minutes of May 24, 1999.

Commissioner Patton moved, Commissioner Pintar seconded, for approval of minutes of May 24, 1999.

Ayes, all, nays, none. Motion carried.

2. Report of Telecommunications Coordinator.

Telecommunications Coordinator Quirk voiced his concerns on the problems he had this month on CA3's live cablecasts of the School Board and County Board meetings. Some of the problems were the computer data interfered with the signal, other TV channels interfered with our signals, and the signals came back looking blurry. He also reported that the City is in the process of following the county's example and abandoning use of the I-Net because of technical problems, and is going wireless as a solution. But the City, the high school, and the university use that same I-Net to transmit our TV signals. The only solution for us is for the cable company to fix the system and maintain it properly, the Coordinator said. A complete copy of the Telecommunications Coordinator report is attached.

3. Report of Charter Communications.

a. Status of receipt of signed transfer resolution - Chairman Rackow and Clerk Zdroik met briefly with the cable company's representatives Tim Vowell and Scott Behn before the regular Telecommunications Commission meeting. Opinions were expressed on how we can better keep on track in the future as far as reports are concerned. The Commission has to examine in detail a couple of reports yet to determine if these reports are complete enough to satisfy the requirements.

b. Cable company's business plan due not later than June 1 concerning converters - This is item #6 of the Resolution Authorizing Transfer Control of Cable Television Franchise (copy attached), which the City and the cable company entered into. The cable company forgot to notify the people who were supposed to do the report.

c. Training of customer service representatives - Chairman Rackow wrote a letter to Scott Behn, District Manager, Charter Communications, regarding a customer concern about a customer service representative in the Fond du Lac location, who might have been inadequately trained. The cable company intends to use Chairman Rackow's letter as a training tool to emphasize the importance of using positive language toward a solution for the customer. Comments such as that made by Chairman Rackow will help train customer service representatives to handle customer concerns in a more ideal and timely manner.

d. Response to letter to Fort Atkinson - Chairman Rackow said the Commission expects some sort of response from the cable company regarding senior citizens rates.

Tim Vowell, Franchise and Government Relations Director, Charter Communications, informed the Commission that the senior citizens rates that are in place in a handful of communities were provisions of previous cable operators that Charter Communications inherited. The Fort Atkinson franchise agreement which was renewed in November 1998 eliminated the senior citizens rates provision from the renewed franchise agreement. The reason for the elimination is the cost of operating the business and how to recover those costs. By offering a discount to one group of customers, the other group ends up subsidizing the discount so the cable operators decided to eliminate the senior citizens rates. This was a business decision made by Marcus Cable at that time.

Scott Behn, District Manager, Charter Communications, stated that communities that have specific provisions regarding senior citizens rates in their franchise agreement will be grandfathered.

Commissioner Wyhuske asked if the cable company will envision considering senior citizens discounts at all? Mr. Vowell said everything is negotiable at this time but he does not know if he can sell it. The cable company will entertain such discussions in the renewal negotiation.

Commissioner Patton, a Stevens Point businessman, noted that his business will also eliminate the senior citizens discount for the reasons stated by Mr. Vowell.

Tim Ransberger, a gentleman from Indiana (who came in with the representatives from Charter Communications but is not an employee of the cable company), said the cable company dropped senior citizens rates where he came from because it was badly abused. The enforcement got to be a nightmare.

e. Complaint letters - Mr. Behn said the intention of the Hot Grams Program is to have procedures in place to rectify the problems, look at the situation and hopefully to have satisfied customers.

Alderman Phillips asked if the cable customers in Stevens Point will have a reduction on their cable bills once the upgrade is paid for? Mr. Vowell stated once the investment is recovered, it will no longer be reflected in the rates. Whether there will be reductions on cable bills at that time will depend mostly on the cost of the programming which is about 80% of the company's costs as shown on the June 1 adjustment. Another factor is the cost to operate the system. ESPN costs the cable operator 50% last year and another 20% this year. The recovery time for the upgrade is about ten years.

4. Resolution concerning business plan.

This resolution will go before the City Council on Monday, June 21, 1999, for its action. Mr. Vowell informed the Commission that Mr. Jim Ebenhoe, Regional Manager, Franchise/Government Relations for Charter Communications, is preparing an interim report about the resolution. A copy of that

report will be distributed before Monday's meeting.

Commissioner Patton moved, Commissioner Wyhuske seconded, to recommend that the Common Council approve the Resolution Regarding the Timely Submission of a Required Business Plan by Marcus Cable Partners, LLC.

Ayes, all, nays, none. Motion carried.

5. Appeal of basic cable rate.

Copies of the appeal are on file at the City Clerk's office.

6. Subcommittee reports.

- a. Needs Assessment - on standby.
- b. Ordinance Revision - revision dated June 15, 1999, was distributed to the Commission in tonight's meeting.
- c. Regional Commission - on standby.
- d. Drafting Franchise Agreement - revision dated June 15, 1999, was distributed to the Commission in tonight's meeting.
- e. Strategy - on standby.

7. Date, time, and location of next meeting.

The next Telecommunications Commission meeting is scheduled for Tuesday, July 13, 1999, at 6:00 P.M., at the City Water Department, 300 Bliss Avenue.

8. Adjourn into closed session pursuant to Wisconsin Statutes 19.85(1)(e) to discuss franchise negotiations.

Alderman Phillips moved, Commissioner Patton seconded, to adjourn into closed session.

Roll Call: Ayes: Chairman Rackow, Alderman Phillips, Commissioners Bartosz, Curtis, Patton, Pintar, Wyhuske.
Nays: None. Motion carried.

9. Reconvene into open session (7:10 P.M.) for possible action on refranchise matters.

Alderman Phillips moved, Commissioner Patton seconded, to reconvene into open session.

Roll Call: Ayes: Chairman Rackow, Alderman Phillips, Commissioners Bartosz, Curtis, Patton, Pintar, Wyhuske.
Nays: None. Motion carried.

By the next meeting we may have a response from the cable company to our proposals.

10. Adjournment - 7:35 P.M.

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