

**AGENDA FOR COMMITTEE OF THE WHOLE MEETING
SUPERIOR, WISCONSIN
Tuesday March 15, 2011
Immediately following the 6:30 p.m. Regular Council Meeting
Government Center, Board Room 201**

ROLL CALL

1. Review City Code Chp 54, Article IV, Key Boxes. *(referred from the February 9, 2011 Public Safety Committee)*

BUSINESS BY PUBLIC

If you would like to speak before the Council, please sign your name on the sign-up sheet prior to the Council meeting. Due to requirements of the Wisconsin Open Meetings laws, only matters placed on this agenda may be approved by the Council at this meeting, however, citizens may address the Council regarding items which require no action. No personal attacks on individuals will be allowed, and all comments by members of the public shall be limited to three (3) minutes in length.

Citizens should contact the Mayor, a Councilor, or the City Clerk to have a matter placed on a future Council agenda for consideration.

Pursuant to the Americans with Disabilities Act of 1990, if you are in need of an accommodation to participate in the public meeting process, please contact the City Clerk's Office at (715) 395-7200 prior to the scheduled meeting. The City will attempt to accommodate any request depending on the amount of notice received. TDD (715) 395-7521.

In compliance with Wisconsin Open Meetings Law, this agenda was:

Posted: Government Center, Court House, & Public Library,
Daily Telegram, Media & mailing list notified: March 10, 2011
Daily Telegram to sign and fax verification of receipt to 395-7264

Name Date

Proceedings of the Public Safety Committee February 9, 2011

Members Present: Councilor Mick MacKenzie
 Councilor Warren Bender
 Councilor Esther Dalbec
 Councilor Denise McDonald, alternate

Others Present: Police Chief Floyd Peters
 Fire Chief Jim Rigstad
 City Attorney Frog Prell
 Maria Lockwood, Daily Telegram
 Various landlords, business owners and citizens

Councilor MacKenzie called the meeting to order at 5:00 p.m. and noted that roll call had been taken by sign up.

Approval of Public Safety meeting minutes of July 14, 2010.

Motion by Councilor Dalbec, seconded by Councilor Bender and carried to approve Public Safety meeting minutes from July 14, 2010.

Matters to be considered

1. Referral from January 18, 2011 City Council meeting, Review of City Code, Chapter 54, Article IV, Key Boxes

Councilor Dalbec noted that this ordinance was implemented by Council in 2005 and business owners and landlords have had five years to comply with the requirements.

Many business owners and landlords spoke about this ordinance and the requirements.

Chief Rigstad explained the reason for the key boxes. Previously the Fire Department had keys for all of these businesses. With key boxes, the department only has to have one key for the boxes. This is a much more secure system for handling keys to buildings, and much less cumbersome for the Fire Department.

Councilor Mackenzie asked if his house would need a key box, since it was constructed after 2004, and also why can we only have one particular company when purchasing these boxes? Another question was, 'what if a key went missing'?

Chief Rigstad explained that only multiple unit buildings are required to have key boxes. Chief Rigstad also explained that the particular brand of box, Knox box, while may be more expensive, is a better, more safe box. If a key was missing, the fire department would be responsible to have all the boxes re-drilled, at the department's expense, not the building owners.

There was some discussion on the different concerns of having one of these boxes on the outside of a building. Also a concern was when can fire fighters use these keys? Does the police department have access to these keys as well?

There was also some discussion on the security of these boxes, and theft of keys. Chief Rigstad said these are very rare occurrences. The Police Department does not have access to these keys. Business owner John Mahan expressed many concerns with key boxes, the vulnerability, the possible increased insurance rates, and said he has experienced unfair treatment in the past from the Fire Department. He noted several instances that have occurred in other cities, that would not favor these boxes. Chief Rigstad noted that the boxes can have tamper switches installed in them. Many citizens expressed concern with the cost of these boxes, and there was some concern about the keys being safe with Fire Department employees, and if they might use the keys for inspections or other matters. Chief Rigstad said the keys will only be used in an emergency. Chief Rigstad also explained how the boxes should be installed so that they are secure.

Citizen Kevin Norbie spoke in favor of the Knox boxes.

The Fire Department will check to make sure the keys are still working (and are the correct keys) when they are performing routine inspections.

There was some discussion on whether the key boxes could be voluntary? City Attorney Frog Prell addressed the committee on this issue and stated that it isn't a law if there is a choice in the matter. The ordinance needs to be upheld, or if Councilors are not convinced that it is valid, they have the option to repeal the ordinance.

Motion by Councilor Dalbec, to keep the ordinance as is, and the Fire Department will continue to work with landlords, especially with multiple units to comply as they are able. Motion failed for lack of a second motion.

City Attorney Prell said working with business owners is not unlike giving citizens time to pay a traffic ticket.

Motion by Councilor Bender, seconded by Councilor MacKenzie and carried to refer Review of City Code, Chapter 54, Article IV, Key Boxes to the Committee of the Whole.

Standing Agenda Items

1. Fire Dept. Update

Chief Rigstad noted quickly that Captain Bruce Smith retired on February 2, 2011, and the department will be making some promotions effective February 14th.

2. Police Department Update

Due to the time, and need to begin the Police & Fire Commission meeting that was scheduled to begin at 6:00 p.m., Chief Peters decided to pass on giving an update at this meeting.

Motion to adjourn the Public Safety Committee meeting by Councilor Dalbec, seconded by Councilor Bender and carried. Meeting was adjourned at 6:10 p.m.

Respectfully submitted by:

*Donna Swanson
Administrative Assistant
Superior Police Department*