



# CITY OF MANITOWOC

WISCONSIN, USA

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TO: Personnel Committee  
FROM: Kathleen M. McDaniel, City Attorney  
RE: City Attorney's Office Update  
DATE: February 28, 2018

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In addition to drafting legislation as requested by City departments, the City Attorney's Office has worked on the following projects and initiatives since our last meeting:

### **Environmental Remediation**

- Lemberger Landfill: Project continues as planned. MNA report should be submitted in March.
- Gravel Pit: Cost recovery efforts continue. We have a signed agreement with one responsible party, expect to sign another agreement this week, and are waiting on a technical change from the third. Newell still hasn't communicated since their untimely withdrawal from negotiations.
- MPU Lead Pipe issues: Still waiting for DNR response, continued contact with MPU GM and outside counsel.

### **Litigation and Prosecution**

- Big Jay's: Litigation continues in federal court.
- Riverview Apartments: The City has received a tentative settlement agreement that would resolve the state and federal cases. At the time of writing this report, it has not been executed, but I may have more information at the time of our meeting.

### **LEAN/BPI**

- BPI event on attacking/biting animal notices was moved to April due to facilitator conflict.
- Assisted staff with advice on other BPI events as needed

### **Neighborhood Improvement**

- 314-316 Riverview Drive: See litigation.
- Going forward, our office will only provide blighted property updates upon a change in status with the Fire Department (request for a raze order or warrant). There is no change this month.
- Monthly citation reports will be provided to the Public Safety committee for Fire (building inspection) violations. Our office will be working with the court clerk to prepare this.
- Continue to monitor potential state law change in rental property regulation.

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### **Insurance/Risk Management**

- Reviewed claims filed against the City.
- CVMIC Work Plan meeting was held February 1, 2018
- ADA Title II work will be moving forward, first meeting scheduled for March 8
- Provided claims training to Finance staff

### **Open Records**

- Assisted police chief with filling USA Today records request, giving notices to former officers, and preparing final list. Had several conversations with former officers or their legal counsel
- Provided open records training to Finance staff

### **Labor Matters**

- Working with HR Director on Central States Participation Agreement Renegotiation and possible benefits plan changes.
- Asked other cities for advice on outside labor counsel, as the City is now seeking new counsel due to the Riverview lawsuits. No decision has been made at this time, the Fire Chief was going to consult with his peers for opinions.

### **Office Matters**

- Scheduled standing staff meeting for Thursdays at 9 am
- Scheduled biweekly check-ins with each employee
- Prepared committee reports
- Met with software vendor to discuss new version, which will include claims and labor relations modules that we can allow other departments to access.
- Held weekly municipal court pretrials and trials.

### **Monthly Reporting**

- Since my February 1, 2018 report:
  - 29 Requests for Legal Services were received, 39 were closed
  - 2 new litigation matters were opened, 5 were closed
  - 56 new citations were sent over for prosecution, 19 were closed, 3 were held open.