

**RESOLUTION**  
**TO REVISE CITY ATTORNEY JOB DESCRIPTION**

**WHEREAS**, the City Attorney represents the City of Manitowoc’s interests in negotiations, drafts legislation and policy, serves as legal counsel to all City departments, and represents the City in legal matters before courts, agencies, or judicial bodies; and

**WHEREAS**, the Mayor and Human Resource Director recommend updating the job description for the City Attorney position to more accurately reflect the duties that the Mayor and Council will require of this position moving forward; and

**WHEREAS**, at a meeting held on September 7, 2023, the Personnel Committee directed the Human Resource Director to prepare and present an updated City Attorney job description to the Common Council.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Common Council of the City of Manitowoc, to approve the attached revised job description for the City Attorney, effective immediately.

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_

\_\_\_\_\_  
Justin M. Nickels

APPROVED \_\_\_\_\_

This Resolution was drafted by Eric G. Nycz, Interim City Attorney

**Fiscal Impact:** Anticipated no fiscal impact. No additional tax levy or 2023 budget amendments required.  
**Funding Source:** Not Applicable  
**Finance Director Approval:** /SMA  
**Approved as to form:** /EGN

## Job Description

### Human Resource Use Only

Position Number: 10031

Step/Grade- T

~~Effective-Revision~~ Date: **09.2023**

### POSITION IDENTIFICATION

**Position Title:** City Attorney  
**Division:** City Attorney  
**Status:** Full Time Exempt  
**Normal Workweek:** Monday through Friday

### SUPERVISORY RELATIONSHIPS

**Reports to:** Mayor and Common Council  
**Directly Supervises:** Paralegal, ~~Assistant City Attorney, outside legal counsel~~

### POSITION PURPOSE

Provides and oversees all legal services for the City of Manitowoc. The City Attorney is responsible for advising City officials and representing the City in all legal matters. The work is performed under the direction of the Mayor and Common Council.

### ESSENTIAL DUTIES

- Prepares, researches and presents general lawsuits affecting the City;
- Drafts pleadings, documents and briefs relating to litigation in which the City is involved;
- Retains and supervises outside counsel for specialized litigation;
- Renders legal opinions and acts as legal counsel to the Mayor and Common Council, Department Heads, Manitowoc Public Utilities and the Manitowoc Public Library;
- Drafts contracts and real estate conveyance documents, ordinances, resolutions and Municipal Code revisions;
- Oversees and administers the City's liability insurance program, including supervising the investigation of claims and the compromise of claims included with the City's self-insured retention.
- Serve on Work Comp Claims Committee and make recommendations to fellow members and Council regarding disposition of claims
- ~~➤ Works closely with and advises the Mayor and Personnel Committee and Human Resources Director in all matters relating to legal issues concerning labor relations, including collective bargaining and all human resource matters;~~
- ~~➤ Responsible for arbitration, mediation, grievance and fact-finding hearings, and other human resource matters in concert with Human Resources Director;~~
- Reviews or drafts all contracts to which the City is a party;
- Consults with and advises department heads;
- Advises the Mayor and members of the Common Council at all Common Council meetings and committee meetings, as needed;
- Acts as parliamentarian at Common Council meetings;
- Negotiates, acquires and sells real estate on behalf of the City;

- Explains City laws and policies to the public and to civic groups;
- Assists in the preparation of funding applications for state and federal grants;
- ~~Works with legislature for legislation favorable to the City;~~
- Prepares departmental budget requests;
- ~~Oversees and is primarily responsible for City regulation of its cable television system;~~
- Reviews insurance certificates submitted to the City for appropriate coverage;
- Provide annual legal update to the Manitowoc Police Department and trainings to other departments as requested;
- Serves as City ADA Coordinator;
- Serves as CVMIC Member Representative;
- Prosecutes and oversees collection of delinquent personal property taxes;
- Performs legal duties for the Manitowoc Public Utilities Commission as requested;
- ~~Responsible for overseeing~~ Serves as primary contact for outside prosecutor handling City ordinance violations, and handles prosecution if necessary; prosecution of City ordinance violations;
- Attends and participates in a wide variety of Common Council, board, commission and committee meetings as needed and requested;
- ~~Acts as legal counsel to Common Council, Manitowoc Public Library Board, City Commissions and Committees.~~
- Assists Building Inspection with code enforcement concerns;
- Is responsible for all legal aspects of blight elimination, from advising inspectors to litigating raze orders.

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#### OTHER DUTIES

- Other miscellaneous duties as assigned

#### MINIMUM POSITION QUALIFICATIONS

- Education:** An LLB or JD from an ABA American Bar Association (ABA) accredited law school
- Experience:** 5 years of experience in municipal law
- Certifications/Licenses:** Possession of a license to practice law in the State of Wisconsin in State and Federal Courts, ~~V~~alid Driver's License.

#### KNOWLEDGE, SKILLS, & ABILITIES

Working knowledge of open meeting and open record law; thorough knowledge of municipal law; knowledge of Wisconsin public labor law; knowledge of real estate law, municipal contract law and tort law; ability to analyze legal problems and present findings in a clear and concise manner; ability to effectively represent the City in Municipal and Circuit Court prosecution; general knowledge of human resources practices, collective bargaining and employment law; admitted to practice law in State of Wisconsin Courts and Wisconsin Federal District Courts; ability to accept a wide variety of responsibilities; maintain confidence of Mayor and Common Council; ability to concisely present legal facts, arguments, briefs and communications orally and in writing; ability to advise and provide interpretation to others on how to apply policies, procedures and standards to specific situations; ability to communicate effectively with City department heads, City employees, Mayor, Council members and the general public; ability to

add, subtract, multiply and divide; ability to apply mathematical functions to specific numbers and data to reach valid and logical results; ability to complete statistical analysis of complex number arrangements.

**BACKGROUND CHECK**

Condition of employment

**PHYSICAL DEMANDS**

The work environment characteristics described herein are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Manual Dexterity:** While performing the duties of this job, the employee is regularly required to coordinate hands, eyes, feet and limbs in performing semi-skilled movements such as operation of a computer keyboard, telephone, calculator and file management software.
- Physical Effort:** The employee is occasionally required to exert light to medium physical effort in sedentary and light to medium work involving lifting, carrying, pushing, walking, standing, reaching with hands and arms, climbing, balancing, stooping, kneeling, crouching or crawling. The employee must occasionally lift and/or move 25 pounds. Specific vision abilities required include close vision, distant vision and ability to adjust focus.
- Working Conditions:** The noise level in the work environment is moderately quiet. The work environment is normally indoors with controlled climate conditions. Occasionally the employee may be required to be outdoors for a short period of time, and therefore subject to varying weather conditions, for purposes of accomplishing the essential functions of this job.

This position description has been prepared to define the general duties of the position, provide examples of work and to detail the required knowledge, skills and abilities as well as the acceptable experience and training for the position. The description is not intended to limit or modify the right of any supervisor to assign, direct, and control the duties of employees under supervision. The City of Manitowoc retains and reserves any and all rights to change, modify, amend, add to or delete from any portion of this description in its sole judgment.

This job description is not a contract for employment.

The City of Manitowoc is an equal opportunity employer, in compliance with the Americans with Disabilities Act. The City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.