



CITY OF MANITOWOC

WISCONSIN, USA

www.manitowoc.org



TO: Personnel Committee
FROM: Kathleen M. McDaniel, City Attorney
RE: City Attorney's Office Update
DATE: September 6, 2017

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. Budget planning for next year has started.
- Gravel Pit: ROAR was approved by Wisconsin DNR. The City has sent an offer to settle to PRPs. Pond construction has started.
- 1512 Washington: Pursuit of Newell Rubbermaid for demolition costs has begun.

Litigation and Prosecution

- 1512 Washington: Demolition is completed and now site cleanup is occurring. We are continuing to negotiate a credit with the asbestos contractor.
- Big Jay's: The suit continues. Depositions were taken last week.
- Lowe's: Litigation resolved via settlement.
- Ewald ERD complaint: Insurer appointed counsel.

LEAN/BPI

- Requesting RIP event on attacking/biting animal notices

Neighborhood Improvement

- 314-316 Riverview Drive: Injunction hearing cancelled August 3 due to tentative settlement, parties have yet to sign settlement and may end up back in court.
- 1727 Johnston Drive: A raze/repair order was issued and has expired.
- Team of department heads (CA, Fire, Finance, CDD) continue to meet to discuss using TIF funds to attack blight.

Insurance

- Reviewed claims filed against the City.
- Discussed large pending claims with appropriate carrier.
- Attempted to renew liability and auto insurance – carrier was having website issues. Work continues.

Open Records

- Requests continue to trickle in regarding the 2016 carbon monoxide leak downtown and the Parkview Haven fire.

City Attorney Kathleen M. McDaniel • Staff Attorney Elizabeth Majerus
Paralegal Jane M. Rhode
CITY HALL • 900 Quay Street • Manitowoc, WI 54220-4543
Phone (920) 686-6990 • Fax (920) 686-6999

Labor Matters

- Discussion continues with Transit Teamsters staff representative. They tentatively have ratification scheduled later this month.
- Planning to review Fire contract in advance of next year with HR Director and outside labor counsel.

Office Matters

- Staff Attorney (.5 FTE) will be continuing her schedule of Monday, Tuesday, Thursday indefinitely.
- Additional .25 FTE requested in 2018 Budget for staff attorney.

Monthly Reporting

- Since my July 26, 2017 report:
 - 42 Requests for Legal Services were received, 21 were closed
 - 15 new litigation matters were opened, 9 were closed
 - 56 new citations were sent over for prosecution, 34 were closed, 8 were held open.