



TO: Personnel Committee  
FROM: Kathleen M. McDaniel, City Attorney  
RE: City Attorney's Office Update  
DATE: May 29, 2020

---

In addition to drafting legislation as requested by City departments, the City Attorney's Office has worked on the following projects and initiatives since my May 1st update:

**Environmental Remediation**

- Lemberger Landfill: Awaiting EPA review of sampling plans.
- Gravel Pit: Sampling will resume in June due to COVID-19 situation. Cost recovery process continues. Working on Safe Drinking Water Loan Program application.
- WPS Superfund Site: Participate in internal and external meetings regarding WPS plans

**Open Records Requests**

- Multiple requests filed re Class B Liquor License holders
- Request for Wastewater ratepayer information

**Litigation, Prosecution, and Neighborhood Improvement**

- Advise Police on COVID concerns
- Assist Police with ordinance interpretation questions
- Blighted properties: Develop internal strategy to address blighted commercial property
- Asst. City Attorney working with housing inspector to develop blight plan for corridors
- Municipal Court held remote pretrial conferences in May, will be remote in June as well
- Municipal Court tentatively reopening June 12, subject to District Court approval

**Economic Development**

- Metal Ware: Meeting in May to discuss project, followup meeting scheduled to discuss status of real estate sales
- Assist CD Department with proposed upcoming projects
- R2H Refinance: waiting for recorded mortgage from bank
- Assist with Bayshore Trail development
- Camp Vits property acquisition in progress, scheduled to close this week

**LEAN/BPI**

- Assisted staff with advice on BPI events as needed
- Follow up on Council document workflow continues as time permits

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

### **Insurance/Risk Management**

- Reviewed claims filed against the City, reported to insurance and Finance as appropriate
- ADA Title II: Audit progress continues, all departments have returned self-audit for general non-discrimination. Effective communication self-audit will be next.

### **Labor Matters**

- Fire Department bargaining: Submitted revised final offer, “revised” revised final offer scheduled for June 10.
- Transit bargaining: Union voting to ratify
- Police: Bargaining will commence June 10
- Assist unionized departments with personnel matters as needed
- Provide resolutions to backfill and fill positions where appropriate
- Correspond outside counsel for EEOC/DWD complaint filed by police officer
- Assist HR with COVID policy interpretation

### **Office Matters/Additional Information**

- Staff meetings held via zoom
- Prepared committee reports
- Office transitioning back to work in City Hall

### **Monthly Reporting**

- Since my May 1, 2020 report:
  - 25 Requests for Legal Services received, 22 closed
  - 4 new litigation matters (5 animal bites, 2 bankruptcies)
  - 48 new citations sent over for prosecution, trials adjourned to fall due to coronavirus