



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: January 3, 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 November 25th update:

Environmental Remediation

- Lemberger Landfill: Fourth quarter sampling occurred in December, January call set for January 9th.
- Gravel Pit: Work on remediation plans and water replacements continue with assistance of outside consultants and MPU. Cost recovery effort also continuing. Expanded sampling event was well-received and the City is providing bottled water to those impacted.
- State PFAS efforts: Participate in municipal attorney workgroup
- WPS Superfund Site: Participate in internal and external meetings regarding WPS plans

Open Records Requests

- Crivello Carlson for information related to Paul Tittl carbon monoxide incident

Litigation, Prosecution, and Neighborhood Improvement

- Assist Police with ordinance interpretation questions
- Blighted properties: Lakeshore Mall and 901 Chicago still in litigation.

Economic Development

- CN Peninsula: Discussions regarding planned development and remediation, meeting with EPA
- Metal Ware: Follow up meeting on development agreement with Metal Ware staff set for this month
- Hecker/Viebahn property: Environmental investigation underway
- Assist CD Department with other upcoming projects
- Prepare release of mortgage for R2H, new mortgage prepared to be recorded once the refinance is complete

LEAN/BPI

- Assisted staff with advice on BPI events as needed
- Follow up on Council document workflow continues
- Assistant City Attorney participated in BPI and followup this week

City Attorney Kathleen M. McDaniel • Assistant City Attorney Elizabeth Majerus
Paralegal Jane M. Rhode

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Insurance/Risk Management

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

Labor Matters

- Fire Department bargaining: Declaratory ruling brief filed, waiting on WERC decision
- Transit bargaining: Prepared draft contract reflecting TAs for ratification, met with union to discuss MOU regarding overtime
- Provide resolutions to backfill and fill positions where appropriate
- Correspond outside counsel for EEOC/DWD complaint filed by police officer

Office Matters/Additional Information

- Staff meeting held weekly
- Prepared committee reports
- Peer reviews for department heads completed

Monthly Reporting

- Since my November 25, 2019 report:
 - 23 requests for Legal Services received, 21 closed
 - No litigation matters opened
 - 110 new citations sent over for prosecution, trials scheduled through February