



# CITY OF MANITOWOC

WISCONSIN, USA

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TO: Personnel Committee  
FROM: Justin M. Nickels, Mayor  
RE: City Attorney's Office Update  
DATE: May 31, 2022

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Since former City Attorney Kathleen McDaniel's last update on April 28<sup>th</sup>, and her departure on May 18<sup>th</sup>, the City Attorney's Office continues to monitor the following projects:

## **Environmental Remediation**

- Lemberger Landfill: Work continues as planned. Dan Koski has taken an interim lead.
- Gravel Pit: Godfrey Kahn continues as legal counsel. Watermain project continues.
- WPS Superfund Site: No update.

## **Open Records Requests**

- EPA re the City's Brownfield Program (Adam Tegen is handling)
- Wisconsin Public Defender's Office Subpoena for PD's records re a 2018 homicide assistance with the City of Two Rivers (IT is working on and if necessary, records will be forwarded to Attorney Wachewicz for final review.)
- Routine open record requests are being handled by City Clerk Mackenzie Reed-Kadow.

## **Litigation, Prosecution, and Neighborhood Improvement**

- MAVCB/Hearty Olive suit: Set for court date in June, Smitha Chintamaneni of vonBriesen handling for City
- Howell suit: no update, Brian Beisenstein of Menn handling for City
- Lewandowski suit: no update, Rich Bolton of Boardman Clark handling for City
- Lowe's suits: update provided separately to Council, Ryan Braithwaite of Stafford Rosenbaum handling for City
- 1412 North 5<sup>th</sup> Street Raze Order / potential buyers for property – Atty. Wachewicz will advise as needed

## **Economic Development**

- CD Department's upcoming projects
  - Metal Ware – waiting on developer
  - Old Heresite property – ongoing

### **Insurance/Risk Management**

- Reviewed claims filed against the City, reported to and consulted with insurance (CVMIC) and Finance as appropriate
- ADA Title II work in progress, bimonthly meetings scheduled. City will need to appoint a new ADA coordinator and issue new policies as appropriate

### **Labor Matters**

- Attorney Wachewicz assisted HR with open meetings' law inquiry

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

- Attorney Tony Wachewicz from von Briesen is serving as Acting City Attorney
- Attorney Joe Thuermer is the contracted prosecutor for traffic and ordinance violations. Attorney John Bilka will handle 4 trials that Attorney Thuermer is not available for.

### **Monthly Reporting on Workload**

- 4 Requests for Legal Services received, 37 closed
- 0 new litigation matters
- Traffic / ordinance prosecution continues to be pre-trialed and scheduled for trial, if requested
- Trials scheduled into October