



# 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: November 1, 2019

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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 in August:

## **Environmental Remediation**

- Lemberger Landfill: EPA conducted site visit in October, next meeting set for Nov. 7
- Gravel Pit: Work on remediation plans and water replacements continue with assistance of outside consultants. Cost recovery effort also continuing.
- State PFAS efforts: Participate in municipal attorney workgroup

## **Open Records Requests**

- T. Fessler for further communications relating to District 10 aldermanic appointment
- Attorney Fabian re Paul Tittl carbon monoxide issues
- Teamcare regarding employee contributions

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

- Assist Police with ordinance interpretation questions
- 205 N. Rapids Rd site is complete, City continues collaboration with State. Sanctions and forfeitures are still being sought.
- Blighted properties: Lakeshore Mall and 901 Chicago both in litigation. Extension ranted on 2002 Madison Street, will be last extension.

## **Economic Development**

- CN Peninsula: Discussions regarding planned development and remediation
- Metal Ware: Follow up meeting on development agreement with Metal Ware staff
- Hecker/Viebahn property: Negotiate potential purchase with County
- Assist CD Department with other upcoming projects
- Discuss refinancing of collateral with R2H
- Meet with new CDD and provide updates on projects

## **LEAN/BPI**

- Assisted staff with advice on BPI events as needed
- Follow up on Council document workflow continues
- Assistant City Attorney participated in BPI event on Special events

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, most departments have returned self-audit for general non-discrimination. Effective communication self-audit will be next.
- Quoting property insurance through MPIC and Ansay
- Complete 2019 CVMIC grant program awards

### **Labor Matters**

- Fire Department bargaining: Declaratory ruling brief filed, follow up with outside counsel
- Transit bargaining: Prepared draft contract reflecting TAs for ratification
- Police: Work with HR Director and Chief on response to possible MOUs
- 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
- Asst. City Attorney attended annual OWI training from DOJ in October
- Performance evaluations completed

### **Monthly Reporting**

- Since my October 4, 2019 report:
  - 27 requests for Legal Services received, 30 closed
  - 9 litigation matters opened (7 animal bites, 1 claim)
  - 55 new citations sent over for prosecution, trials scheduled through January 2020