



CITY OF MANITOWOC

WISCONSIN, USA

www.manitowoc.org



TO: Personnel Committee
FROM: Kathleen M. McDaniel, City Attorney
RE: City Attorney's Office Update
DATE: June 27, 2018

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 May:

Environmental Remediation

- Lemberger Landfill: Project continues as planned, next status call scheduled for June 6.
- Gravel Pit: Cost recovery efforts continue. Three of the responsible parties have signed settlement agreements and made payments. There will be a closed session tonight to provide more of an update.
- MPU Lead Pipe issues: The DNR has indicated they will resolve the issue in our favor but we have not seen the letter yet.

Litigation and Prosecution

- Big Jay's: Litigation continues in federal court.
- Riverview Apartments: Counsel for Scott Russel Deitz (JenRuss LLC) withdrew on May 9 and he has retained new counsel (Attorney Ryan Graff of the Nash firm). The City has an injunction hearing set in state court on July 26. The federal case is being dismissed without prejudice as Manitowoc Asset Improvement is no longer involved with the property.
- All defendants who have requested trials have been scheduled for trial.

LEAN/BPI

- BPI event on attacking/biting animal notices was held May 9.
- Attorney Majerus spoke with DPI Koski about a lean event related to citation workflow.
- Assisted staff with advice on other BPI events as needed

Neighborhood Improvement

- 314-316 Riverview Drive: See litigation.
- Blighted properties: The Fire Department has not asked us to issue any raze orders this month. The monthly citation reports will continue to be provided for Public Safety meetings. We are transitioning these reports to the Fire Department.
- Rental Registration: Monitor state law changes, prepare possible changes to ordinance.

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Insurance/Risk Management

- Reviewed claims filed against the City, discussed large claim with Finance Committee, provided quarterly claims report to Finance Committee for 1st Quarter, working on 2nd Quarter claims report now.
- ADA Title II meetings held May 23 and June 27.
- Assist Rahr-West with obtaining insurance for a traveling exhibition
- Beginning preparation for 2018 CVMIC grants
- 2019-2020 insurance renewal documents were received on June 27, 2018
- Worked with property insurance company (MPIC) to get retroactive coverage for damage caused to carferry docks

Open Records Requests

- Brad Austin for outstanding checks to vendors (annual request)
- Several requests for inspection reports on various single-family properties
- Request for list of dog licensees
- USA Today for Alder Gabriel disciplinary actions
- Seehafer Broadcasting for Alder Gabriel disciplinary actions
- Jason Sladky for Alder Gabriel disciplinary actions
- Open the Books for 2017 Salary Information
- Sally Zimmerman for Alder Gabriel disciplinary actions
- Tracy Wehner Hardin for correspondence to/from Central States
- Don Vogt for Alder Gabriel disciplinary actions
- Alder Sitkiewitz for correspondence involving Alder Gabriel
- Gannett News for sexual harassment complaints
- Dave Soeldner for emails related to scheduling a meeting
- Alder Gabriel for emails regarding Alder Gabriel
- Jeremy Seidl for emails involving the room tax commission

Labor Matters

- Working with HR Director on Central States issues
- Selected outside counsel for bargaining
- Held two bargaining meetings with Fire Department
- Meet with Teamsters regarding a termination grievance
- Meet with Teamsters regarding a WRS payment grievance

Office Matters

- Staff meeting held weekly on Thursdays
- Biweekly check-ins held with employees
- Prepared committee reports
- Held weekly municipal court pretrials and trials
- Midyear reviews scheduled for the beginning of July

Monthly Reporting

- Since my May 6, 2018 report:
 - 62 Requests for Legal Services were received, 58 were closed
 - 18 new litigation matters were opened (these include animal bites), 10 were closed
 - 137 new citations were sent over for prosecution