



CITY OF MANITOWOC

WISCONSIN, USA

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TO: Personnel Committee
FROM: Eric G. Nycz, City Attorney
RE: City Attorney's Office Update –November 2024
DATE: November 14, 2024

In addition to drafting legislation and reviewing contracts as requested by City departments, the City Attorney's Office has worked on the following projects and initiatives since my last update dated October 1, 2024:

Environmental Remediation

- Lemberger Landfill: Work continues as planned.
- Gravel Pit: Godfrey Kahn continues as legal counsel. Watermain project continues. Cost recovery for 2022 is complete and we have begun working on 2023.
- Mirro Plant No. 9: Godfrey Kahn is legal counsel for cost recovery efforts. Progress is slow.
- WPS Superfund Site: No update.

Open Records Requests

- A few Open Record Requests for the month of October and November for BI, MPU and Human Resources.

Litigation, Prosecution, and Neighborhood Improvement

- The Econo Sheriff's Sale was cancelled on October 8, 2024. An updated letter was sent out via Certified Mail on November 14, 2024. It is unlikely that the City will recoup any of its lost room tax revenue.
- 770 Albert Drive - A nuisance is pending. The owners are working on cleaning up the mobile home park. Karl's Excavation was hired by the owners of the park and are doing an excellent job remediating the issues there. We have already pressed the owner to work on another park next.

Economic Development

- CD Department's upcoming projects
 - Old Heresite property: 8 acres still available, the City has moved debris piles from the Gravel Pit to this site to accommodate the solar farm
 - AMMO Option to Purchase: Approximately 1 year on this option.
 - OTP for River Point Land Purchase / Development: closing has been pushed to March 12, 2025
 - River Point - Braun Building to facilitate sale to developer; Braun has affirmed they will be out by January 2025 and demolition of 2/4 buildings has already occurred.
 - Lakeshore Mall site: the development agreement with Tycore Built LLC is nearing a final draft.

Insurance/Risk Management

- Reviewed two claims filed against the City, reported to and consulted with insurance (CVMIC) and Finance as appropriate.
- City needs to appoint a new ADA coordinator and issue new policies as appropriate.

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- Several new claims.
- Attended CVMIC Annual Meeting October 3-4.

Labor Matters

- Assist unionized departments with personnel matters, as needed.

Office Matters/Additional Information

- Review of state law on binding authority language for all LLCs and partnerships to ensure all City permits and contracts are signed by a person who may bind the entity to a contract; revision of existing permits, license applications, and contracts to comport with this law – on hold pending Mayor direction or approval.
- A new draft of the WWTF to MPU is near completion.

Monthly Reporting on Workload

- Numerous Requests for Legal Services received – this is the majority of Attorney's workload.
- Traffic/ordinance prosecution continues to be pre-trialed and scheduled for trial, if requested.
- Few requests to reopen this month.
- Trials scheduled into January 2025.
- Jury trials scheduled into January, 2025.