



CITY OF MANITOWOC

WISCONSIN, USA

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TO: Personnel Committee
FROM: Eric G. Nycz, City Attorney
RE: City Attorney's Office Update –September 2024
DATE: August 27, 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 July 29, 2024:

Environmental Remediation

- Lemberger Landfill: Work continues as planned.
- Gravel Pit: Godfrey Kahn continues as legal counsel. Watermain project continues. Working on cost recovery for 2022 and a plan moving forward.
- Mirro Plant No. 9: Godfrey Kahn is legal counsel for cost recovery efforts.
- WPS Superfund Site: No update.

Open Records Requests

- Many Open Record Requests for the month of August for Library, Finance, MPU and Human Resources.

Litigation, Prosecution, and Neighborhood Improvement

- MAVCB/Hearty Olive suit: the deadline to file an appeal was August 8, 2024. No party appealed and now the case has concluded.
- The Econo Lodge has now failed to redeem and will be sold at auction on September 10. It is unlikely that the City will recoup any of its lost room tax revenue.
- 770 Albert Drive - A nuisance suit has been filed. The owners are working on cleaning up the park. City staff reviewed their progress and it is slow. They are attempting to hire a third party to clean up both lots. A status conference is scheduled for Sept. 13th, 2024 at 9:45 a.m.

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 2 years on this option.
 - OTP for River Point Land Purchase / Development: closing has been pushed to March 12, 2025
 - River Point - Lease termination discussions and relocation with 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: A Term Sheet with Tycore Built LLC is being prepared for Council review.

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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.
- No additional claims in August.
- Completed CVMIC workers' compensation insurance renewal.

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 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 December 2024.
- Jury trials scheduled into October, 2024.