



CITY OF MANITOWOC

WISCONSIN, USA

www.manitowoc.org

TO: Personnel Committee
FROM: Eric G. Nycz, City Attorney
RE: City Attorney's Office Update –October 2024
DATE: October 1, 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 August 27, 2024:

Environmental Remediation

- Lemberger Landfill: Work continues as planned.
- Gravel Pit: Godfrey Kahn continues as legal counsel. Watermain project continues. A tentative agreement on cost recovery for 2022 has been reached and now taking steps to close the DNR investigation of the site.
- Mirro Plant No. 9: Godfrey Kahn is legal counsel for cost recovery efforts. Progress is slow.
- WPS Superfund Site: No update.

Open Records Requests

- Many Open Record Requests for the month of September for DPI and Human Resources.

Litigation, Prosecution, and Neighborhood Improvement

- The Econo Lodge has failed to redeem and will be sold at auction on October 8, 2024. 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 mobile home park. City staff reviewed their progress and it is slow. Owners provided Judge Rohrer evidence of remediation by hiring Karl's Excavation to complete the cleanup. Karl's has been in contact with City staff and noted cleanup will commence after Karl's finishes one project (should be soon).

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: Tycore Built LLC and city staff are working on a development agreement.

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.
- One additional claim in September.
- Attending/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 December 2024.
- Jury trials scheduled into December 2024.

