



# 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 2025  
DATE: September 24, 2025

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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 25, 2025:

## **Environmental Remediation**

- Lemberger Landfill: Work continues as planned. The City incurs quarterly remediation costs that are shared among several parties.
- Gravel Pit: Ned Witte continues as legal counsel. Watermain project continues. Cost recovery for 2023 and 2024 in progress.
- Mirro Plant No. 9: Godfrey Kahn and Ned Witte are legal counsel for cost recovery efforts pursuant to Wis. Stat. 292.33. Litigation is forthcoming.
- WPS Superfund Site: No update.

## **Open Records Requests**

- A few Open Record Requests from various departments.

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

- 770 Albert Drive - The nuisance lawsuit was successful. The case will soon be dismissed following a fully-executed stipulation that the City has the right to enter the property and finish the remediation, which is minimal. We have prepared a stipulation and order to dismiss and it is pending.
- 3910 Waldo Blvd – This mobile home park has been identified as a safety concern in the City. Since that time, there have been measurable improvements and investment in the park by the park's owner. At this time, I do not recommend moving forward with any action as the owner has been extremely cooperative with us.
- Multiple new raze order requests are moving forward.
- A lawsuit was filed against the City alleging it is responsible for a bicycle accident suffered by a minor that struck a "pothole." The demand approaches \$200,000.00. CVMIC has assigned outside counsel to lead the defense.

## **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
  - Olin/Winchester Option to Purchase: Less than 1 year on this option.
  - Lakeshore Mall site: progress has been swift. All buildings are down, and infrastructure for the northern-most section should be complete by the end of the year. 95% of the land was sold to Tycore this month.

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- 5875 WEST LLC executed its option to purchase a 10.50-acre parcel on West Drive and closed on September 16, 2025.

#### **Insurance/Risk Management**

- Reviewed 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.

#### **Labor Matters**

- Assist unionized departments with personnel matters, as needed.
- Transit labor negotiations began in September. Negotiations are ongoing.

#### **Office Matters/Additional Information**

- CVMIC renewal applications complete.
- Fiscal 2026 Budget complete.

#### **Monthly Reporting on Workload**

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