



CITY OF MANITOWOC

WISCONSIN, USA

www.manitowoc.org

October 17, 2024

TO: Manitowoc Common Council

FROM: Eric Nycz, City Attorney

Re: Intergovernmental Agreement

Issue Presented

The Common Council approved moving forward with the construction of new watermain in the townships of Manitowoc and Newton in order to provide clean drinking water to residents that have been impacted by the pollution emanating from the Newton Gravel Pit.

One of the requirements of the project is that the City and towns need to enter into an intergovernmental agreement (IGA). The Township of Newton and the Township of Manitowoc held a joint session on October 16, 2024 to review the proposed IGA. Following that joint session, I spoke with Township of Manitowoc Chairman Jeffrey Blahnik who noted that the IGA was generally acceptable but that the towns will be requesting a couple of changes to address transparency in the water testing process and other minor requests. City staff is now looking for your approval subject to any changes that may need to be made so the City can move forward with this project.

The general purpose of the document is to note that the City is entering into the townships' jurisdiction to construct the watermain with the townships' permission, and that the City will restore whatever land or road we disturb to its preexisting condition. As you know, attorneys have the habit of turning one sentence into 10 pages, so the document before you tonight is 10 pages long.

The IGA was fast-tracked as staff was recently notified that the Public Service Commission (PSC) may require a signed IGA before they grant the City approval to proceed with the project. This was not anticipated as the PSC did not have this requirement in 2022 (the last time we applied for out-of-city watermain construction). Therefore, there is some sense of urgency to this matter.

Recommendation

Staff recommends approval of the IGA subject to any further reasonable edits by City staff, and to direct staff to have the document executed by the appropriate officials upon completion. Thank you for your consideration.

CITY ATTORNEY ERIC NY CZ

CITY HALL ■ 900 QUAY STREET ■ MANITOWOC, WI 54220
PHONE: (920) 686-6990 ■ EMAIL: CITYATTORNEY@MANITOWOC.ORG