



# CITY OF MANITOWOC

WISCONSIN, USA

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TO: Personnel Committee  
FROM: Eric G. Nycz, City Attorney  
RE: City Attorney's Office Update –December 2024  
DATE: December 18, 2024

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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 November 14, 2024:

## **Environmental Remediation**

- Lemberger Landfill: Work continues as planned.
- Gravel Pit: Godfrey Kahn continues as legal counsel. Watermain project continues. Cost recovery for 2023 in progress.
- Mirro Plant No. 9: Godfrey Kahn is legal counsel for cost recovery efforts. Progress is slow.
- WPS Superfund Site: No update.

## **Open Records Requests**

- Two Open Record Requests each for the month of December for BI and Finance, and one for Tourism.

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

- The Econo Sherriff's Sale was cancelled on October 8, 2024. An updated letter was sent out via Certified Mail on December 9, 2024. It is unlikely that the City will recoup any of its lost room tax revenue.
- 770 Albert Drive - A nuisance lawsuit is pending. Karl's Excavation has almost completed work; vehicles remain. The owner has been flagged by the State for non-compliance and is working on his other park for cleanup.

## **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 February 2025 and demolition of 2/4 buildings has already occurred.
  - Lakeshore Mall site: progress has been swift, but additional asbestos has been found in walls and is taking a little longer to remediate.

## **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 new claim for the month of December.

CITY ATTORNEY ERIC G. NYCZ

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

- Worked with Forestry to remove several risks around the city.

#### **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 April 2025.
- Jury trials scheduled into February, 2025.