



CITY OF MANITOWOC

WISCONSIN, USA

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January 11, 2024

TO: Members of the Common Council
FROM: Eric Nycz, City Attorney
Re: Prosecution Legal Services Contract

Issue Presented

Attorney Joseph Thuermer has expertly served the City as a contracted prosecutor on multiple occasions over the past dozen years and is currently serving in that position. The Common Council approved his most recent contract on June 19, 2023. Attorney Thuermer agreed to the terms of that agreement knowing that the City had not budgeted for his position, and noted at the time that the new budget would need to account for compensation that exceeded his compensation level in 2012 if he were to continue his service to the City in the 2024. As Attorney Thuermer provides a needed service to the City at a reasonable rate, his request was honored when preparing the 2024 budget. This Office now seeks approval from the Common Council to enter into the Legal Services Agreement with Attorney Thuermer at the approved budgeted rate of compensation for 2024 and beyond.

Legal Services Contract

The Legal Services Contract is substantially similar to the contract approved by the Common Council in June. The one substantive difference is compensation. Attorney Thuermer's contract approved in June 2023 provided \$3,000/month for prosecution services. The Contract before you provides compensation at \$3,600/month for his services. For reference, Attorney's Thuermer's 2012 contract, which required him to provide the exact same prosecution services he is providing today, compensated him at a rate of \$3,500/month.

Recommendation from the City Attorney

By entering into the Contract, the citizens of Manitowoc will benefit by continuing to receive excellent prosecution services from a veteran prosecutor. Further, there is no additional budget impact as the 2024 budget accounted for the anticipated increase in compensation.

Therefore, this Office recommends entering into the Contract. Thank you for your consideration.

CITY ATTORNEY ERIC NY CZ

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