

PROPOSAL

FOR LEGAL SERVICES TO THE CITY OF COLUMBUS

May 11, 2026

**REUTER, WHITISH & EVANS, S.C.
4600 American Parkway, Suite 104
Madison, WI 53718**

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**Proposal for Legal Services
Reuter, Whitish & Evans, S.C.
To
City of Columbus**

I. Executive Summary.

Reuter, Whitish & Evans is a law firm providing legal representation in nearly all aspects of municipal operations. We provide the highest quality professional services in a cost-effective manner. We propose that our firm provide general legal services as outlined in the Request for Proposals, except for municipal prosecution services. We are willing though to provide municipal prosecution services as needed, such as when the City's regular prosecutor has a conflict of interest.

II. Qualifications and Experience.

A. Qualifications.

a. **Firm History.** Reuter, Whitish & Evans, S.C. is located in Madison, Wisconsin. Attorneys at Reuter, Whitish & Evans began representing municipalities in 1991. Over the decades, we have represented a number of municipalities and related boards, commissions and committees. We also represent private clients in municipal law matters which do not involve our municipal clients. We currently serve as general counsel for the Village of DeForest, Village of McFarland, Town of Verona, Town of Rutland, Town of Pleasant Springs and Town of Deerfield. We also represent the Village of Oregon for municipal prosecution services. In the past, we have served as special counsel to a number of municipalities including:

- City of Middleton (alcohol license revocations and other licensing matters)
- Town of Union (alcohol license issues)
- City of Oconomowoc (Fire District merger)
- City of Oconomowoc Sewer Utility (intergovernmental contract issues)
- Village of Waunakee Board of Appeals (zoning appeal)
- Village of Poynette (zoning code revisions)
- Village of Belleville (ordinance prosecution)
- Village of Rockdale (extraterritorial zoning and power plant siting)
- Town of Paris (extraterritorial zoning)
- Town of Dunn (fire district dispute)

b. **Availability.** We recognize the need of municipal clients for prompt responses to urgent matters. We make every effort to answer all calls when they are received, or to promptly return calls when that is not possible. Urgent matters are given the attention they require, regardless of whether that requires

evening and weekend work. Clients are given mobile phone numbers for the attorneys primarily responsible for their work, and are welcome to use them when necessary any time of day and any day of the week. All services of the firm are based at our Madison office.

c. **Legal Support Team.** If hired, Attorney Dan Evans would act as the City Attorney for the City of Columbus. Attorney Evans's municipal experience is set forth in his resume provided below. Attorney Evans would provide all levels of legal services to the City of Columbus and appear at City Council meetings when requested. In addition, Attorney Al Reuter will provide legal services as needed with respect to all municipal issues, and his resume is also provided.

Our firm's office is located at 4600 American Parkway, Suite 104, Madison, Wisconsin. Our regular office hours are Monday through Friday, 8:00 a.m. to 5:30 p.m., though Attorney Reuter and Attorney Evans are available after hours and on weekends by email and cellular telephone.

d. **Statement of Philosophy.** Reuter, Whitish and Evans, S.C. is unique in that we provide our municipal clients the benefits of a small firm with the high level of professional services and experience offered by larger and more expensive firms. Our firm approaches the practice of law as a team collaboration between our attorneys and clients. We maintain the highest ethical standards and integrity while providing timely and cost-effective results. In representing municipalities, our philosophy is to enable our clients to make informed decisions. Our role in representing municipal clients is not to make policy, which is the role of the elected officials, but to advise and provide options on the best ways to implement those policies.

Like many smaller law firms, our attorneys are truly dedicated to the needs of our clients, and we pride ourselves in knowing our clients personally and the pending issues affecting them. We are responsive and accountable to our clients. Our long-term relationships with municipal clients permits us to provide history and context to legal issues, particularly when new staff and elected officials may not be familiar with a matter. Our municipal team works closely with staff in all aspects of our services.

B. Experience.

The breadth of our firm's experience is outlined below, but it should be clear that our firm's experience in municipal issues rivals that of the largest area law firms. We have the added benefit of being trial lawyers, and Attorneys Evans and Reuter have significant litigation experience. Attorney Reuter has litigated a significant number of complex cases and taught trial advocacy at the University of Wisconsin Law School. Attorney Evans is a former Marine Corps prosecutor, and has decades of experience in litigating complex cases. Like a larger firm, Reuter, Whitish and Evans, S.C., provides a depth of experience in providing municipal legal services, but with the added benefit of being a smaller firm willing to work closely with clients.

a. **Land Use and Zoning Law.** We have represented municipalities and private clients in land use and zoning matters for more than 30 years. Our work has ranged from drafting and amending zoning ordinances to hearings before boards of appeals and boards of adjustment, as well as litigation in the circuit courts. We have guided the process of enacting extraterritorial zoning ordinances and successfully litigated the right of municipalities to administer interim extraterritorial zoning ordinances through the appellate court. *Village of DeForest v. Dane County*, 211 Wis. 2d 804 (1997). We have also

successfully represented private clients in litigation concerning zoning code interpretation, enforcement, and the scope of municipal authority in conditional use approvals.

We routinely advise our municipal clients on all aspects of zoning, subdivision and development regulations. As an example, we recently advised a municipal client on Wisconsin's Right to Rent law and the zoning implications of imposing restrictions on short-term vacation rentals.

b. **Utilities.** Our experience in utility service issues is varied. We routinely work on development agreements providing for the construction of public infrastructure, utility easements and related matters. We have also worked extensively with condemnation regarding utility easements. We advise local water and sewer utilities on all legal aspects relating to their operations including well and storage facilities for water systems, and permitting for sewer extensions. We have litigated issues relating to municipal authority to require water service by a town sanitary district to recently annexed properties before the Wisconsin Public Service Commission, and have represented municipalities and private clients before CARPC and the Wisconsin DNR. We have advised municipal clients on the scope of regulatory authority over rights-of-way involving issues of underground utility requirements, street excavation permits, sidewalk maintenance, access restrictions and various other matters. We have also prepared several intergovernmental agreements including authorization for extension of utilities through public rights-of-way.

c. **Public Contracting and Purchasing Law.** Our experience with public contracting has included negotiation and contract drafting for the construction of several new or expanded public buildings (municipal halls, library, public works facility, police and fire stations), road and utility extensions or reconstruction and park development. We are routinely called upon by our municipal clients for advice interpreting the public bidding laws and their procedural requirements.

d. **Drafting or Reviewing Municipal Ordinances and Resolutions.** We have drafted hundreds of ordinances ranging from minor modifications of existing ordinances, to recodification of entire municipal codes. We draft resolutions on a weekly basis and typically draft or review more than 100 resolutions per year.

e. **Public Meetings, Public Records, and Administrative Law.** We are called upon to advise municipal clerks, police departments and other local officials with regard to requests for public records and meeting notice contents on almost a weekly basis. We have also provided education seminars to police departments regarding the Wisconsin Public Records Law.

We frequently advise municipal clients regarding administrative hearings and have represented clients in hearings relating to employee grievances, liquor license issuance and revocation, zoning appeals and variances, administrative zoning and land use determinations, and general appeals of administrative decisions by public officers under the state Municipal Administrative Procedure laws. We have also represented municipal clients in dealing state administrative agencies including the Wisconsin DNR, Public Service Commission of Wisconsin, Department of Safety and Professional Services, Public Records and Forms Board and others.

f. **Police and Fire Commissions.** We have provided general municipal advice to police and/or fire commissions dealing with meeting notices, parliamentary procedure and terms of office.

g. **Government Ethics.** We have been consulted on numerous occasions to provide ethics advice to local ethics committee members and individual municipal officials. We have provided assistance in successfully defending against conflict of interest complaints against governing body members filed with the District Attorney and Attorney General.

h. **Water Law.** We have substantial experience in stormwater management issues, including advising on municipal rights and obligations to address surface water drainage concerns. We have significant experience dealing with drainage districts, including detachment of municipal land from those districts.

i. **Urban Renewal Law.** We have advised municipal clients on the establishment of redevelopment and community development authorities, the adoption of redevelopment plans and all aspects of redevelopment of a downtown area. Specific legal issues involved in past redevelopment have included land acquisition (by purchase and eminent domain), vacation and platting of public streets, and extensive environmental remediation.

j. **Real Estate Law Including Commercial and Tax Increment Financing.** Real estate law is a significant part of our practice for both private and public sector clients. We have represented numerous clients in the purchase, sale and development of residential, commercial and industrial real estate. We have also handled a number of real estate disputes, easement acquisitions and other real property issues.

Over the years, we have provided advice and assistance in the creation of 9 TIF districts, and approximately the same number of amendments. Amendments have included both project plan amendments and boundary changes to both add and subtract territory. We have drafted dozens of development agreements that include TIF financing of infrastructure and/or development grants.

We were involved in all aspects of the development of the DeForest Business Park, from the initial acquisition of approximately 100 acres of land, to the land divisions, infrastructure construction and private sales of all 100 acres over the ensuing approximately 10 years. The park was part of a highly successful TID that closed in 2016. We also negotiated the purchase of additional land for expansion of that park in 2010 and the closing of two sales in that expansion area in 2017.

We have also negotiated and drafted agreements for TIF assistance to individual commercial and industrial developments in other locations, both on behalf of municipalities and private business owners.

k. **Environmental Law.** We have provided representation to municipal clients in addressing a variety of environmental issues including public well contamination, leaking underground storage tanks, petroleum spill from above-ground bulk storage tanks, pesticide and herbicide spills, odor nuisances and landfills. The DeForest downtown redevelopment project alone involved the acquisition, remediation and monitoring of 6 different spill sites, including petroleum, diesel range organics, pesticides and herbicides, and applications for state remediation grants. We were invited to present that project as a case study at separate Brownfield Redevelopment seminars sponsored by the Wisconsin Economic Development Council and the Wisconsin DNR.

l. **Dispute Resolution.** In our municipal practice, we have been involved with dispute resolution at all levels from informal negotiation to mediation, arbitration and litigation.

m. **Litigation.** We have successfully represented municipalities in litigation for over 30 years. Recently we represented the Village of McFarland in litigation concerning a sinkhole collapse at its new Public Safety Center, resulting in a jury verdict of over 1 million dollars. We have successfully represented municipalities in other litigation, to include contested annexations, and against the City of Madison over the enforceability of a boundary agreement. Our attorneys are experienced and successful litigators.

n. **Municipal prosecutions.** Although we are not proposing to represent the City of Columbus for general traffic and other municipal prosecutions, we are willing to step in and do so when necessary. We have represented the Villages of DeForest, McFarland and Oregon for municipal prosecutions, to include all aspects of OWI enforcement. We have also successfully prosecuted nuisance enforcement cases, including closing a residential property used for drug dealing, and against a business that was causing environmental nuisances, resulting in a judgment for forfeitures of over \$100,000.

Although we have experience in most areas of law affecting municipalities, we do not hesitate to recommend our clients retain specialists for certain issues when we believe doing so is in their best interests. However, given our broad base of experience, outside referrals are rarely necessary. In cases of insured claims, we work cooperatively with appointed counsel as necessary to optimize the municipal defense.

III. Fee Schedule.

We propose to represent the City of Columbus at the following rates, which would not be increased for at least 2 years. For our law partners, Al Reuter and Dan Evans, general municipal matters would be billed at \$225.00 per hour. Tax Incremental Financing and Development matters would be billed at \$295.00 per hour. These rates are significantly less than our rates for private parties. New associate attorneys would be billed at \$185.00 per hour for general municipal work and \$225.00 per hour for TIF and development work.

All rates are billed in increments of 1/10 hour and are based on actual time spent (i.e. no task-based minimums). We generally bill on a monthly basis and invoices are detailed with time entries and billed amounts shown for each attorney each day. Payment is requested within 30 days of invoicing.

In addition to legal fees, we charge for our costs incurred in connection with our representation. Chargeable expenses include photocopies, postage, mileage, deposition charges, witness fees, computerized legal research, travel expenses and filing fees that may be incurred in our representation of the City. Unlike many firms, we bill third party charges at the actual invoiced amount, without any administrative charge, percentage mark-up or processing fees. For in-house photocopies, we charge \$.20 per page for photocopies, and \$.50 for color copies.

Separate charges for computerized research apply only to third party charges for the use of data bases outside of our basic subscriptions. Our subscription services cover the vast majority of our research needs, but outside services may be necessary on very rare occasions.

We do not charge for administrative staff, equipment use or other overhead expenses. Our support staff consists of one administrative assistant and one paralegal. We do not charge clients for their work.

IV. Professional conduct disclosure.

All attorneys at Reuter, Whitish & Evans, S.C. are fully licensed to practice law without any regulatory restrictions. No attorney working for the firm, past or present, has ever been disciplined for any violation of the Rules of Professional Responsibility or any other professional regulations. Reuter, Whitish and Evans, S.C. carries professional liability insurance with a combined single limit of \$2,000,000. We also carry general liability insurance (\$2,000,000 limit), auto liability (\$2,000,000 limit) and worker compensation (\$100,000 limit).

V. Conflicts of Interest.

We are not aware of any clients of our firm who do business, or have any matters pending, with the City of Columbus. If conflicts of interest do arise, it is our practice to withdraw from representing both parties in the matter and assisting both parties in retaining special counsel for that matter. Assistance in hiring special counsel is provided at no charge to the client.

VI. References.

- A. Village of DeForest (since 1991)
120 Sout Stevenson Street
DeForest, WI 53532

Scope of Representation: Serve as general counsel since 1991. Representation has included ordinance and resolution drafting and recodification, contract drafting, real estate acquisitions and sales, environmental remediation, municipal court prosecutions, and general legal service to administration, board, committees and commissions. Work included dozens of residential subdivisions, residential, commercial and industrial development agreements, creation of 9 TIF districts (approximately 9 amendments), downtown redevelopment, litigation (numerous annexations, zoning, nuisance prosecution), boundary agreements (4), fire district agreements, acquisition of town sanitary district water and sewer infrastructure and numerous other intergovernmental agreements.

Contact:
Bill Chang, Administrator
(608) 846-6751
changb@deforestwi.gov

- B. Village of McFarland
5915 Milwaukee Street
McFarland, WI 53558

Scope of Representation: Serve as general counsel since 2017. Representation has included ordinance and resolution drafting, contract drafting, real estate acquisitions and sales, municipal court prosecutions, and general legal service to administration, board, committees and commissions. Work included residential, commercial and industrial development agreements, litigation, and boundary agreements.

Contact:
Matt Schuenke, Administrator
(608) 838-3153
Matt.Schuenke@mcfarland.wi.gov

DANIEL J. EVANS
Shareholder
E-mail: devans@rwelaw.net

Personal: Born Athens, Georgia, April 2, 1971
Admitted to Virginia Bar 1998
Admitted to Wisconsin Bar 2003
Judge Advocate-U.S. Marine Corps (1999-2003)
Joined the firm Reuter, Whitish & Evans in 2003
Volunteers as president of the Waunakee Police Commission

Education: West Virginia University, B.A., 1994
University of Illinois Law School, J.D., 1998

Admissions: Supreme Court of Wisconsin (2003)
Western District of Wisconsin (2003)
Supreme Court of Virginia (1998)

Professional Associations: State Bar of Wisconsin, Administrative & Local Government Section Dane County Bar Association

Principal Practice Areas: Municipal Law
Zoning
Public Records and Open Meetings Law
Contracts
Real Estate
Civil Litigation

Active Municipal Representation: Village of DeForest (2003)
Village of McFarland (2017)
Town of Deerfield (2016)
Town of Medina (2026)
Municipal prosecutor for Village of Oregon (2023)

ALLEN D. REUTER
Shareholder
E-mail: areuter@rwelaw.net

- Personal:** Born Milwaukee, Wisconsin, December 12, 1956
Admitted to Wisconsin Bar 1983
Founded the firm Reuter, Whitish & Evans in 1999
Has made numerous presentation on municipal issues and taught litigation at the UW Law School
- Education:** University of Wisconsin-Milwaukee, B.A., 1980
University of Wisconsin-Madison, J.D., cum laude, 1983
- Admissions:** Supreme Court of Wisconsin (1983)
Western District of Wisconsin (1983)
U.S. Court of Appeals - 7th Circuit (1986)
- Professional Associations:** State Bar of Wisconsin, Administrative & Local Government Section,
Dane County Bar Association
- Principal Practice Areas:** Municipal Law
Land Use and Development
Real Estate
Intergovernmental Agreements
Civil Litigation
Contracts
- Active Municipal Representation:** Village of DeForest (1991)
Village of McFarland (2017)
Town of Verona (2000)
Town of Rutland (2001)
Town of Pleasant Springs (2017)