



**MATTHEW S. BRICK
SHAREHOLDER**

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November 3, 2022

City of Oelwein
Attn: Dylan Mulfinger, City Administrator
20 2nd Avenue SW
Oelwein, IA 50662

RE: Response to Proposal for City Attorney/City Prosecutor Legal Services

Dear Mr. Mulfinger:

This proposal from Brick Gentry P.C. is in response to the City of Oelwein's request for proposals to provide legal services. Included in these materials is an overview of the firm's experience, the qualifications of the municipal team, references, and the firm's compensation proposal.

A. Firm Experience

1. Approach to Providing Legal Services

Brick Gentry P.C. is one of Iowa's premier municipal law firms and has been providing services to cities for over fifty (50) years. The firm's municipal group consists of over a dozen attorneys that specialize in municipal law, and offers communities high quality, responsive and efficient legal services. The group uses a team approach that allows multiple tasks to be handled simultaneously and a municipal attorney to be always available to assist clients when emergencies inevitably arise. The attorneys in the municipal group work closely with the firm's other areas of practice, such as employment, labor, business and intellectual property groups, litigation, banking and financial services, healthcare, and agricultural law to meet the needs of our clients. Brick Gentry, P.C. currently has over thirty attorneys, as well as employs numerous paralegal and support staff, to serve our clients.

Our motto is "We Put Clients First," and that method of serving our clients has led us to decades of business in Iowa. Timeliness of response and accessibility to our clients are important aspects of how we operate. The firm's counsel can be promptly reached via telephone, cell phone or electronic mail and are available to attend meetings in-person on short notice. The firm works cooperatively with City personnel and coordinates with insurance counsel, as needed, to assure proper management of legal issues and proper transmission of information.

The attorneys of Brick Gentry P.C. have years of experience acting as legal advisors to city officials, boards and commissions and are accustomed to attending, upon request, regular and special City Council, and other board and commission meetings. The firm's attorneys make a concerted effort to be readily available

to City staff for review of materials prepared for City Council meetings and to timely confer with the City Administrator and/or staff prior to meetings regarding legal matters and potential issues.

2. Firm Qualifications and Scope of Services

Currently, Brick Gentry P.C. provides general legal services for the following cities: Albia, Altoona, Ankeny, Bondurant, Colfax, Denison, Hartford, Huxley, Indianola, Lake Mills, Minburn, Mitchellville, Nevada, Newton, Plymouth, Polk City, Prairie City, Waukee, and Windsor Heights. In addition, Brick Gentry P.C. handles employment and labor services on request for Ames, Council Bluffs, Corning, Grimes, Jefferson, and Pleasant Hill.

Along with the firm's broad depth of service to cities, Brick Gentry P.C. handles matters for a number of counties and represents many municipal corporations, such as the Buena Vista County Assessor, Council Bluffs Water Works, Dallas County Assessor, Des Moines Area Regional Transit, Des Moines Water Works, Indianola Municipal Utilities, Metro Waste Authority, Neighborhood Housing Agency of Des Moines, Northwest Iowa Solid Waste Agency, Polk County Assessor, Prairie Solid Waste Agency, Rural Iowa Management Waste Agency, StoryComm, and West Des Moines Water Works.

Brick Gentry, P.C. provides legal services, as requested, to their municipal clients. Specifically, the firm: (a) keeps municipal ordinances in compliance with relevant law; (b) advises and assists in the preparation of ordinances, orders, resolutions and regulations—as directed by staff; (c) attends all Council, board and commission meetings—as directed by staff; (d) advises staff and elected officials on open records laws, open and closed meeting laws, and determining appropriate responses to open record inquiries; (e) handles prosecutions of traffic citations, misdemeanor criminal offenses, municipal infractions and other police actions; (f) represents the City in Magistrate's Court and Associate District Court where the City is a party; (g) assists staff in preparing civil citations for code enforcement and nuisance abatement violations and prosecutes such cases as necessary; (h) acts as litigation defense counsel for the City before any court, tribunal, commission or board; (i) settles or compromises claims for suit at law or in equity; (j) prepares, reviews and provides written comment on all agreements and contracts, bonds and other legal instruments—including leases, title documents, real estate closing paperwork and documents related to land acquisition and/or development; (k) assists staff in acquisition and disposal of City property, right of way and easements—including condemnation proceedings as necessary; (l) advises staff on planning and zoning issues; and (m) counsels City personnel on employment and personnel matters and union and ancillary involvement in collective bargaining issues.

As part of the services Brick Gentry P.C. provides its municipal clients, the firm regularly interprets and provides opinions on questions regarding a variety of legal issues; reviews and provides written legal opinions on proposed ordinances, when requested; prepares, reviews and provides recommendations for proposed ordinances and resolutions; interprets and provides City staff and elected officials written opinions on questions interpreting City ordinances and State and Federal Code matters, when requested; and provides legal opinions on all contracts prior to approval by the City Council. More specifically, Brick Gentry P.C. developed the code of ordinances for Ankeny and Bondurant, and periodically reviews and updates the codes of ordinances for several other cities. The firm's municipal attorneys have a strong background advising staff regarding code enforcement and nuisance abatement issues.

The attorneys at Brick Gentry P.C. have years of experience providing employment and union advice to municipalities across Iowa. In the past few years alone, the attorneys have been involved in negotiating over a dozen contracts and defending current clients with dozens of grievances, civil service hearings and civil rights complaint matters. Brick Gentry P.C. has defended current clients in employment matters before the Public Employment Relations Board, the Iowa Civil Rights Commission, the Equal Employment Opportunity Commission, as well as both state and federal courts.

3. Municipal Team Qualifications

Matthew S. Brick (Partner)

For over two decades, Matt Brick has been providing legal guidance for numerous cities and other public corporations. Matt's municipal practice covers areas such as municipal and employment law issues, including but not limited to ordinance and resolution drafting, labor negotiations, litigation defense, attendance at Council and other board related meetings, advising and providing legal opinions on various matters regarding State and Federal laws and regulations. Matt Brick would be the firm's recommendation to serve as the primary attorney for the City. Matt also maintains an active membership with the Iowa Municipal Attorneys' Association and regularly attends continuing legal education training in the field of municipal law.

Erin M. Clanton (Partner)

The majority of Erin's practice is focused on the representation of municipalities as well as a variety of employment matters during her over fifteen years of legal experience. While Erin advises her clients on a variety of municipal law matters, she has extensive experience providing legal opinions, attendance at Council and other board related meetings, handling real estate issues—such as title work, economic development and financial issues, and municipal infrastructure construction issues.

Allison M. Steuterman (Partner)

Allison Steuterman has extensive experience prosecuting municipal ordinance violations and litigation services related to the prosecution of public nuisances and knowledge of the applicable statutory and constitutional regulations regarding such actions. Allison has almost twenty years of experience in prosecuting municipal infractions, traffic citations, simple misdemeanor offences and other police matters.

These attorneys each have years of experience handling these types of matters and all work hard to establish good relationships with the staff of the various City Departments to ensure the expedient and successful resolution of all issues. Each attorney possesses a Juris Doctorate degree from an American Bar Association accredited law school and are licensed in good standing to practice law in the State of Iowa. The profiles of all the municipal attorneys at Brick Gentry can be found at www.brickgentrylaw.com/areas-of-practice/municipal-law.aspx. Resumes of the above-referenced attorneys are attached to this proposal.

B. References

While the City of Oelwein is encouraged to contact any of the government entities we represent for references, the following three contacts are provided below:

City of Bondurant

Marketa Oliver, City Administrator
200 2nd Street NE, Bondurant, IA 50035
(515) 967-2418
moliver@cityofbondurant.com

The firm and Matt Brick have a long-standing work relationship with Ms. Oliver during her years as the City Administrator of the City of Windsor Heights, the City Administrator of the City of Norwalk, and now as the City Administrator of the City of Bondurant. Ms. Oliver has consulted with the firm regarding numerous municipal law issues; planning and zoning issues and development agreements; and economic development and financing issues. Additionally, Ms. Oliver has experience working with the firm in government operations, such as advising and assisting with ordinances, resolutions and other related documents, attending Council and other special meetings, and providing legal opinions.

Metropolitan Waste Authority (MWA)

Leslie Irlbeck, Deputy Director
300 East Locust Street, Ste. 100, Des Moines, IA 50309
(515) 244-0021
lir@mwatoday.com

MWA was incorporated by the Brick Gentry firm in 1969 as one of the first municipal corporations in Iowa. The seventeen members—which including Altoona, Ankeny, Bondurant, Clive, Des Moines, Elkhart, Grimes, Johnston, Mitchellville, Norwalk, Pleasant Hill, Polk City, Polk County, Runnells, Urbandale, West Des Moines and Windsor Heights—jointly operate a recycling and landfill operation. As the Deputy Director of MWA, Ms. Irlbeck consults with Mr. Brick regarding a wide variety of issues including employment and union negotiation matters and general municipal law issues. Ms. Irlbeck has worked with Mr. Brick to advise and assist in the preparation of motions, resolutions, and regulations, to prepare and review contracts and other legal instruments, and to advise the Board members and department heads as to the legality of proposed actions.

City of Newton

Michael Hansen, Mayor
101 W. 4th Street S., Newton, IA 50208
(641) 521-6755
mikeh@newtongov.org

Mr. Hansen consults with the firm regarding municipal law and employment issues. Mr. Hansen has worked with the firm to advise and assist in the preparation of ordinances, orders, resolutions and regulations, to prepare and review contracts and other legal instruments, and to advise city councils and department heads and other administrative officials as to the legality of proposed actions.

C. Conflict of Interest

Brick Gentry P.C. has no subsidiaries or parent company as it is a Professional Corporation organized and existing under the laws of the State of Iowa. The firm takes representation of its clients very seriously and has a thorough conflict of interest process to protect them. Should the City of Oelwein choose Brick Gentry P.C. as their legal advisor, all potential conflicts will be resolved, and any future conflicts will be promptly addressed by the firm so there will be no interference with our representation of the City. To date, the firm is not aware of any potential conflicts of interest with the representation of the City of Oelwein.

D. Proposal for Compensation

The firm is open to working with the City in whatever capacity Oelwein chooses—either as City Attorney and City Prosecutor or just as City Attorney. In addition, the firm is willing to discuss alternative billing arrangements, such as retainer, hourly rates, discounts, and blended rates. That said, the standard firm rate is typically three hundred dollars (\$300) per hour for partners, two hundred dollars (\$200) per hour for associates, and one hundred (\$100) dollars per hour for law clerks and paralegals—however, the firm offers a reduced rate/volume discount to municipal clients—such as the City of Oelwein. ***For Oelwein, the discounted rates would be one hundred fifty dollars (\$150) per hour for all attorneys, and seventy-five dollars (\$75) per hour for work performed by paralegals and law clerks.***

Specialized legal services, including but not limited to bond and debt issuance; building code compliance; environmental law; human resource law; labor relations and collective bargaining; eminent domain and specialized land acquisition; and specialized litigation are offered to our municipal clients at the same reduced municipal rate. Intellectual Property services such as, copyrights and trademarks, are the only specialized legal services that are provided at a separate hourly rate.

The time for which the City will be charged will include, but will not be limited to: telephone, electronic and office conferences with the City, counsel representing other parties, witnesses, consultants, court personnel and others; conferences among our legal personnel; factual investigation; legal research; responding to the City's requests to provide information to the City's auditors in connection with review or audits of financial statements; drafting of legal opinions, letters, pleadings, briefs and other documents; travel time; waiting time in court; and time in depositions and other discovery proceedings. Time is billed in tenths of an hour with a minimum charge of 0.3 tenths for emails and 0.3 tenths for telephone calls.

In addition to our fees, we request payment or reimbursement for costs and expenses incurred regarding: (a) travel expenses—the firm's standard policy is to charge only for time spent traveling and does not charge for mileage in addition to time; (b) non-standard (i.e., abnormally large) photocopying charges—\$0.10 per page; (c) USPS postage charges—\$0.53 per letter plus weight and any other tracking, certified and/or return receipt fees for United States Postal Service mail; (d) UPS or FedEx charges—amount will be determined on size and weight of documents/items to be sent as well as the speed of delivery; and (e) court costs, filing fees and any other litigation expenses (i.e., invoices for third party consultation services).

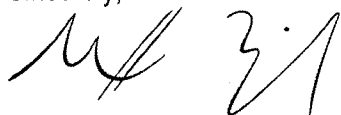
The firm will not charge the City for costs and expenses related to long-distance telephone charges, word processing fees or research software program usage. Unless special arrangements are made at the outset,

fees and expenses of others will not be paid by us and will be the responsibility of and billed directly to the City. Detailed statements are submitted monthly.

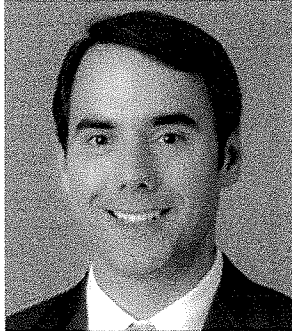
Brick Gentry P.C. understands that the City has issues and concerns unique to it and we will provide only those services requested. Given the distance between the City and the firm, it is expected that—similar to our practice with other municipalities located throughout Iowa—we will utilize teleconferences and electronic communication as much as possible to reduce travel costs—with the exception when requested to attend any meeting in-person. In addition, to help keep travel costs down, the firm is willing to discuss with the City alternatives to handling prosecution matters. Ultimately, if the firm is chosen for this proposal, it is expected the scope of services and proposed costs will be further defined by the City Council prior to entering into a contract with the firm.

Should the City have any questions or need any additional information concerning this proposal, please do not hesitate to contact us. Thank you for considering Brick Gentry P.C.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. S. Brick', written over a horizontal line.

MATTHEW S. BRICK
matt.brick@brickgentrylaw.com



Attorneys
Matthew S. Brick
Shareholder

matt.brick@brickgentrylaw.com

"Working with clients is what I do best. Whether it's advising cities on issues or helping settle employment disputes, I always want to procure the best outcome for those I represent. I'll keep working

until I do."

Matt Brick is a shareholder of Brick Gentry P.C. His practice involves business transactions along with providing legal guidance for a number of cities and other public corporations. In addition, Matt represents both businesses and governments in a variety of labor and employment issues.

For his business clients, Matt handles a variety of matters ranging from: forming business entities such as corporations, limited liability companies and partnerships; negotiating contracts, assisting with the purchase and sale of businesses; and entering in equity sales and/or joint ventures with outside parties.

His municipal practice covers issues such as ordinance drafting, prosecutions, contract preparation, litigation defense and handling real estate issues. Matt has experience with municipal issues involving governmental immunity, open records, open meetings, constitutional rights and eminent domain.

Matt's employment practice involves advising employers on employee discipline, assisting with drafting, reviewing and revising employment policies, and handling hiring and reduction issues. Matt also works with employers on union-related matters, such as unfair labor practice charges and negotiating collective-bargaining agreements.

Prior to joining the Firm, Matt worked for the Vinson & Elkins law firm in Dallas, Texas, defending and advising clients in a wide range of labor and employment issues. Matt has extensive civil litigation experience defending public and private corporations on matters such as wrongful termination, discrimination disputes, wage and hours cases and a variety of other statutory and common-law claims.

Areas of Practice

[Labor & Employment Law](#), [Business Law](#), [Government Relations](#), [Representation of Municipalities](#)

Education

- University of Iowa College of Law, J.D., 2001, With High Distinction
- University of Iowa, B.S., Psychology, 1995, With Honors

Bar Admissions

- Iowa 2001
- District of Columbia 2001
- Minnesota 2001
- Nebraska 2001

Court Admissions

- United States Supreme Court
- U.S. Court of Appeals, 8th Circuit
- U.S. Court of Appeals, 5th Circuit

Memberships

- Iowa Municipal Attorneys
- Association
- Iowa State Bar Association
- Nebraska State Bar Association
- District of Columbia Bar Association

Matthew S. Brick

6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266
(515) 274-1450 • matt.brick@brickgentrylaw.com

Matt Brick is a shareholder with Brick Gentry P.C. Mr. Brick's practice is divided between municipal and employment law. He handles labor negotiations and disputes, as well as advises clients on employee discipline, employment policies and contracts. Mr. Brick is admitted to practice in the District of Columbia, Iowa, Minnesota, Nebraska, the United States Courts of Appeal for the Fifth and Eighth Circuits, and the United States Supreme Court.

EDUCATION

University of Iowa Law School, Iowa City, Iowa

Juris Doctorate with High Distinction, 2000

Graduate of a two year accelerated study program and recipient of a full-ride merit scholarship.

University of Iowa, Iowa City, Iowa

Bachelor of Science with Honors, 1995

Received an Honors Research Grant, selected as an Honors Teaching Assistant for an undergraduate Psychology course, and inducted into the University of Iowa Honors Society and the National Psychology Honors Society.

PROFESSIONAL EXPERIENCE

Brick, Gentry P.C., Des Moines, Iowa,

Attorney, 2001-Present

Defended and advised public and private clients in a wide range of labor and employment issues. Represented clients in labor negotiations and before both PERB and the NLRB and defended employers against a variety of employment and general civil litigation claims. Representative client include Metro Solid Waste, Metro Transit Authority, City of Ankeny, City of Council Bluffs, Dallas County, Polk County & Poweshiek County.

ADDITIONAL PROFESSIONAL EXPERIENCE

Windsor Heights City Council Windsor Heights, Iowa

City Council Member, 2002-2003

Responsible for planning and overseeing the annual City budget, managing the public works, capital planning, marketing, and special events committees, final approval over the appointment and termination of City employees, and passage of City ordinances, resolutions and motions. Recipient of the Iowa League of Cities' 2003 Outstanding Young Council Member Award.



Attorneys
Erin M. Clanton
Shareholder

erin.clanton@brickgentrylaw.com

"The cornerstone of my practice is understanding that every issue matters. Whether I'm representing a municipality or handling an employment matter, I'm always doing everything I can to achieve success."

Erin Clanton is a shareholder of Brick Gentry P.C. The majority of Erin's practice is focused on the representation of municipalities. She also handles a wide variety of employment matters; performs general real estate work, including title examination and loan closing services; and assists creditors in their relations with debtors, both in and outside the bankruptcy realm. Erin also serves as the City Attorney for Nevada, Iowa, and provides assistance to a number of other Iowa public entities. Erin graduated from the University of Iowa in 2002 with degrees in English and Finance. In 2005, she graduated from Creighton University Law School and joined Brick Gentry as an associate. Erin became a shareholder of Brick Gentry in 2009.

Areas of Practice

[Administrative Law](#), [Annexation](#), [Bankruptcy Law](#), [Creditor Rights](#), [Labor & Employment Law](#), [Labor Negotiations](#), [Prosecutions](#), [Representation of Municipalities](#), [Zoning](#)

Recognitions and Publications

Co-Author with Brick Gentry Shareholder Tom Flynn, "Iowa Commercial Lending Law," appearing in "Commercial Lending Law: A Jurisdiction-by-Jurisdiction Guide to U.S. and Canadian Law," published by the American Bar Association Commercial Finance Committee, 2016.

Education

- Creighton University Law School, J.D., 2005
- University of Iowa, B.B.A., Finance, B.A., English, 2002

Bar Admissions

- Iowa 2005

Court Admissions

- Iowa District Courts
- Northern District of Iowa
- Southern District of Iowa
- U.S. Court of Appeals, 8th Circuit

Memberships

- Iowa State Bar Association
- Federal Bar Association
- Polk County Bar Association

Erin M. Clanton

6701 Westown Parkway, Suite 100 • West Des Moines, Iowa 50266 • (515) 274-1450
Erin.Clanton@brickgentrylaw.com

Erin Clanton is an Associate with the Brick Gentry Law Firm. Her practice focuses primarily in the areas of municipal law, employment law and general corporate law. Ms. Clanton also handles a wide variety of labor law and real estate issues. Ms. Clanton is active in the Iowa State Bar Association and the Polk County Bar Association, and is licensed to practice in the federal and state courts of Iowa.

EDUCATION

Creighton University Law School, Omaha, Nebraska

Juris Doctorate, 2005

Graduated top 30% of class

Certified Concentrations in Business Law and Estate Planning

University of Iowa, Iowa City, Iowa

Bachelor of Science, 2002

Ms. Clanton was honored to be admitted to the University of Iowa Henry B. Tippie College of Business on an early admissions program. Ms. Clanton graduated with a major in English and a minor in Finance.

Johnston Senior High School, Johnston, Iowa

High School Diploma, 1998, 4.0 G.P.A.

PROFESSIONAL EXPERIENCE

Brick Gentry, P.C., West Des Moines, Iowa

Associate, 2005-present

Practice focuses primarily in the areas of municipal law, employment law and general corporate law. Ms. Clanton has defended and advised clients in a wide range of employment and business related issues. She also handles a variety of labor and real estate issues.

Belin Lamson McCormick Zumbach & Flynn Law Firm

Law Clerk, 2004

As a law clerk, Ms. Clanton's workload consisted primarily of general corporate transactional issues—including contract review and drafting, corporate dissolutions, and bankruptcy.

PROFESSIONAL LICENSES & AFFILIATIONS

- Licensed to practice law in Iowa and the U.S. District Courts for the Northern and Southern Districts of Iowa
- Iowa Bar Association, Member
- Polk County Bar Association, Member
- American Bar Association, Member
- Title Guaranty, Member



Attorneys

Allison M. Steuterman

Shareholder

allison.steuterman@brickgentrylaw.com

“At Brick Gentry we don't just have one set way of doing things. We genuinely work together to offer clients a customized approach that best fits their needs. It really sets this Firm apart.”

Allison Steuterman joined Brick Gentry P.C. as an Associate in 2007 and has been a Shareholder since January 2012. Practicing primarily in civil litigation, Allison has represented clients in many different areas,

including workers' compensation, employment law, contract disputes, personal injury, construction cases, estate disputes and more. She handles a variety of contract, business, and estate planning matters, acts as legal counsel for a variety of corporations and associations, and serves as the Prosecutor for the cities of Nevada and Huxley, Iowa.

Allison was born and raised in Des Moines, Iowa. She graduated from Drake University Law School with high honors in 2004, an Opperman Scholar and a member of the Drake Law Review. Allison is active in the community through her church, and sits on the Board of Iowa Interfaith Power and Light, a non-profit corporation.



Areas of Practice

[Alternative Dispute Resolution](#), [Construction Litigation](#), [Personal Injury](#), [Labor & Employment Law](#), [Estate Planning and Probate](#), [Business Law](#), [Prosecutions](#)

Honors

Drake University Law School, high honors

Opperman Scholar

Education

- Drake University Law School
- Truman State University

Bar Admissions

- Iowa 2004

Court Admissions

- U.S. Court of Appeals, 8th Circuit
- U.S. District Courts

Memberships

- Iowa State Bar Association
- Polk County Bar Association



Allison Marie Steuterman

Allison.Steuterman@brickgentrylaw.com
515-274-1450

Employment

Brick Gentry, PC, West Des Moines, Iowa,
Shareholder (January 2021 – current)
Associate (March 2007 – December 2011)

- Engaged in the practice of law, namely civil litigation.
- Assist in the prosecution, municipal infraction, and civil litigation defense duties for the cities of Waukee, Iowa and Nevada, Iowa.

Nyemaster Law Firm, Des Moines Iowa, Associate (August 2004 – March 2007)

- Engaged in the practice of law, namely civil litigation.
- Prosecuting Attorney for the City of Clive 2005-2007, including prosecution of all simple misdemeanors and traffic violations as well as municipal infractions. Involved in the formation, initiation, and civil enforcement of the red light camera violations.

Nyemaster Law Firm, Des Moines Iowa, Summer Associate (May 2001 – August 2004)

- Draft motions, create memorandums, as well as other supplemental legal documents.
- Proficient in legal research while acting within a deadline oriented environment.

Education

Drake School of Law, Des Moines, Iowa

Juris Doctorate. Rank: 8th. Order of the Coif. Emphasis in Litigation.
Date of Graduation: May 2004.

Truman State University, Kirksville, Missouri

Bachelor in English, with a minor in Biology. Cum Laude.
Date of Graduation: May 2001.

Technical skills in the following:

Proficient in Westlaw Legal Research Software, Lexis Legal Research Software,
Microsoft Word, Microsoft Excel, Microsoft PowerPoint, and Microsoft Outlook.

Associations

Blackstone Inns of Court (2006-current)

Iowa Bar Association – Membership Committee (2006-current)

Polk County Bar Association – Public Relations Committee (2006-2007)

Drake Law Review (2003-2004)

Scholastic Honors and Awards

Order of the Coif (2004)

- Graduated in the top 10% of law school class.

Deans List (2001- 2004)

- Made Deans List each semester while attending Drake School of Law.

Dwight D. Opperman Scholarship Recipient (2001- 2004)

- Earned scholarship for superior academic performance as well as LSAT results.

CALI Award for Excellence