



**Corporation Counsel**  
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**September 6, 2016**

**Legal Report  
 For August 2016**

During August, 2016, the following areas of note were addressed by the Corporation Counsel's office:

**Council**

Attend Council meeting, conference with councilors, dept. heads, citizens; Attend BOW, conference with Mayor regarding personnel issues; Multiple emails with MBAH regarding past claims; draft audit letter; Review, revise and transmit audit letter for City;

Condemnation status updates:

Bhatia	9 N. Salisbury	Working on setting up mediation for possibly October. Waiting to hear from Adverse on available dates.
Chase Bank	210 W. State	9-6 EB asked me to draft Stipulation of Dismissal on this case. The City has explored other options to avoid a take on this property.
Cochran	200 S. River Road	9/19 is the next status conference. According to emails from adverse counsel, it appears the landowner is going to accept the appraiser's amount, however they were questioning a sprinkler system that may be damaged due to the construction and the City was looking into this matter before settling on the dollar amount.
MSPI	400 S. Grant	All recorded. Need to dismiss.
Phi Delta Theta	503 W. State	All recorded. Need to dismiss.
Schroeder	400 S. Chauncey	Pre-trial Confr- 10-11 at 11:30a Jury trial scheduled for 11-21 at 10am

Shen	Tapawingo & River Road	Working on an agreed order for the appraiser's amount. Also per adverse, Landowner Shen will donate the remaining small sliver of property that is not absorbed with the take.
River Walk-Ucal	Approx. 221 E. State Street	This condemnation was filed 7/26/16. Hearing set for 10/24 at 10am.

**Board of Works**

Attend BOW, conference with various dept. heads, PUPD Chief regarding street closure procedure, conference members, Mayor; Attend and participate in department head meeting; Attend BOW, conference with Mayor; Review agenda, attend HRC meeting, discussion with Chair following meeting re municipal equality index; Brief discussions with HRC chair and HR Dept Head before call, attend conference call with T. Clark, Chair and Vice Chair of HRC, HR Dept Head and Human Relations Group regarding Municipal Equality Index; meeting with attendees following call to coordinate tasks and action items; discussion with Corporation Counsel regarding same; Attend BOW, conference with PWD regarding pending cases in condemnation, conference Mayor regarding personnel; Email to Tim Clark regarding Municipal Equality index; Review and respond to email from R. Laszynski esq regarding Masonic Lodge survey issue; Review certain documents pertaining to Municipal Equality Index, email to Police Chief regarding liaison appointment, email to Mayor's office regarding liaison appointment; Review numerous documents regarding Municipal Equality Index, compile same, draft email to Human Rights Campaign Foundation; Emails to Tim Clark and Nichole Foster regarding resolution for Title VI; Multiple discussions with Corporation Counsel regarding equality index, meeting with and task paralegal regarding updates needed to City website, revise draft email and transmit draft to HRC committee for comment; Meeting with City attorney regarding needed updates to City website regarding Municipal Equality Index, multiple emails with City IT team regarding needed updates; Discussion with Corporation Counsel regarding Municipal Equality Index and necessary follow-up, email to Human Rights Campaign Foundation members Xavier Persad and Collen Kutney; Phone conference with Chad Spitznagle regarding Highland Park Structure; Attend BOW, conference with Mayor, PWD regarding pending condemnation issues; Multiple emails with City IT team regarding needed revisions to liaison contact page.

**Police Merit Commission:**

Attend PMC meeting, draft resolution for time in rank Rule amendment; Begin adding review information for promotions candidates; Attend to Bylaw changes and Resolution waiver time in rank; Update promotions list with test scores; review provided review information; add remaining review information for promotions and review; Multiple emails and telephone conference with T. Holder regarding missing review information for promotions list; Telephone conference with Dr. Rollock regarding signature required, conference with corporation counsel; email and voicemail returned to Dr. Rollock regarding same.

### **Development**

Draft, edit and transmit resolution for filing to amend US 231 map; Strategy conference with Z.W. esq regarding liaisons for gender equality survey; Multiple emails with City IT department regarding contact information for appointed liaisons.

State Street Project – Court appearance in Schroeder, attend to Shen, review status of pending cases, confirm list of takes to be approved by Counsel; Attend to correction of Schroeder legal ,review emails regarding Chase and Bhatia; Attend to status conference in Chase, attend same, review new plaza plan; Redraft certificate for Auditor regarding Schroeder taking; Conference with controller regarding payment procedures for Joint Board; Draft proposed order for Notice to Show Cause; Legal Research with regard to Indiana Rules of Trial Procedure 4.6 and 4.7 for the purpose of determining how to serve an organization whose registered agent was not located at the address listed with the Secretary of State; Attend hearing in River Market condemnation, review order and emails regarding same; Draft correspondence to Defendant's counsel regarding the Proposed Order of Notice of Show Cause and inviting him to make any alterations he deemed necessary; Draft correspondence to Defendant's Counsel accepting the alterations proposed by him and informing him that we will be submitting the Proposed Order of Notice to Show Cause to the Court the following day; review correspondence from C. Shelmon esq in Cochran, transmit same; Attend to negotiations in Shen, Chase, Cochran; Conference with R. Laszynski esq, K. Riley esq regarding Miller Building encroachments, transmit to PWD survey; Attendance at meeting with attorneys for buyer and seller of a building located at 218 South Street West Lafayette, IN discussing State Street Project and whether its overhanging awnings, fire escape, and building dimensions will present a problem for the project; Review and send emails with PWD regarding Miller Building; attend to exceptions and trial demand in Cochran; Review pleading filed in Bhatia; Attend status hearing in Chase.

### **Wastewater Utility**

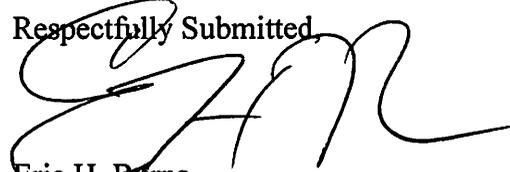
Review newly-provided documents, including project notes from Greely & Hansen regarding the North Side Lift Station project; Review documents in the file and draft a mediation statement regarding the dispute with RL Turner; Review mediation submission in RL Turner, strategy conference with associate, conference with PWD regarding same; Phone and email correspondence with D. Henderson regarding the dispute with RL Turner; organize documents for the mediation with RL Turner; Represent Wastewater Utility in mediation in the contract dispute with RL Turner regarding the North Side Lift Station project; Review as built and review numerous emails re same re Northside L.S.; Attend Court appearance in Bhatia taking re CSO project, review emails in re RL Turner; Draft release in dispute with RL Turner.

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**Code Enforcement**

Review video associated with ordinance violation case against Xue Qu; Review parking ordinance to implement changes.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'E. Burns', written over the printed name.

Eric H. Burns  
Corporation Counsel