



**Eric H. Burns**  
**City Attorney**  
8 N. Third Street, Suite 401  
P.O. Box 499  
Lafayette, Indiana 47902-0499  
eburns@witheredlaw.com  
765-742-1988  
Fax 765-742-8774

**July 1, 2015**

**Legal Report  
For June 2015**

During June, 2015, the following areas of note were addressed by the City Attorney's office:

**Council**

Phone conference with P. Hermes, Esq. regarding speaking engagement to be put on with Human Relations Commission; Review agenda items, attend council meeting, conference with councilors, dept. heads; Telephone call to and conference with Betina regarding HRC question; Compile documents regarding HRC for counsel Hermes; email to same;

**Board of Works**

Attend BOW, attend Dept. head meeting, conference with Mayor regarding state street funding, class 2 city transition; Review previous emails from SOS Deputy and Governor Chief of staff regarding Class 2 city status; Brief discussion with City attorney regarding Police Merit Commission meeting; Prepare for Police Merit Commission meeting by reviewing bylaws and previous minutes from 2015 meetings; Attend Police Merit Commission meeting; Attend BOW, conference members regarding update on State Street; Email to Betina, HRC subcommittee regarding online complaint; Attempt to contact claims representative by telephone to discuss the claim against the contractor's bond related to a property on Wakefield Drive; Attend BOW, conference with Mayor and C.T. regarding budgetary issues; Attend BOW, conference with dept. heads, conference PWD and C.T. regarding valuation of roads;

**Wastewater Utility**

Conference regarding strategy on RL Turner with associate, review status via email review; Attend to reviews of affidavit and emails from insurance counsel in Sigma Chi case; Review numerous emails regarding RL Turner matter regarding SRF and change orders; Attend to review of RL Turner notes and emails, review cost to cure.

### Development

Make revisions to Abby Manor Complaint. Discussion with Eric regarding same; sign appearance, complaint; Revisions to Condemnation Complaint, draft Summons and Notice to PFCU regarding Abby Manor; Review registered agent question and email regarding same to paralegal on Abbey Manor take; Email from Attorney regarding service for financial institution: Revision to Notice & Summons for PFCU in Abby Manor matter; Attention to email regarding Abby Manor; Revisions to Condemnation Complaint, draft Summons and Notice to PFCU regarding Abby Manor; Review and approve Complaint in condemnation filing, review title work for ownership determination; Review previous Nicaise emails to all parties and responses regarding team composition to minimize consultant time required; Review Resolution for CTP at PU; Review email with multiple attachments to D, Buck regarding Abby Manor condemnation case; Review edit and transmit Contract for cleaning alley; Discussion with City attorney regarding Abby Manor status; email to Stu Gutwein regarding upcoming status hearing; Attend court-ordered status hearing in Abby Manor case; Attend to Parktoria via multiple emails and review of Bankruptcy filing, contact with WLPD DC, Bankruptcy counsel.

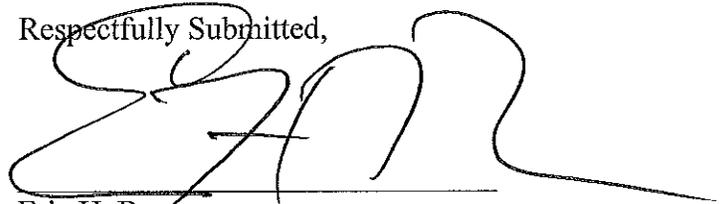
State Street Project - Telephone conference with B&T et al, conference with Joint Team, conferences with Purdue Counsel in person, via email and telephone, review documents analyzing "O" funding requirements; Attend to email regarding State Street project; Review Kitchel v. Franklin in re applicability to Project BOT compliance; Conduct conference call with T. Benton esq, R. Starkey esq, J. Treat, S. Siedle regarding Credit support facility; Email Exchange regarding State Street Project; Review, comment and approve various financing and project scope matters via email; Attend to stapled financing bidders conflict question via email; Conference with City Team, Mayor, BF and S, Wessler regarding alternate funding via GSC, review case law provided; Attend State Street Team meeting, conference with council, review GSC materials from BF&S; attend ROW meeting regarding SSMP; Review numerous emails from team regarding GSC contract funding, review statute references; Review amendment issued for SOQ and criteria draft from Parsons, emails with legal team; Review many emails regarding addenda, SOQ changes, conference with Mayor regarding GSC; Attend conference with city working group including Mayor and L. Oates RDC President; Conferences with Team on alternative delivery methods, review financial estimates; Attend conference with B & T and Purdue counsel in Indianapolis regarding legal opinions needed for BOT and state approvals; Telephone call regarding GSC/State Street, waiver for providers, attend to numerous emails regarding RFQ, State approvals; Review numerous emails with multiple attachments from team, attend team meeting; Attend to organizational conflict issues regarding GSC/BOT legal representation.

**Code Enforcement**

Numerous communications via email and telephone regarding Tempest Homes grass/ weed issues; Attend to bonding issue regarding door to door sales via emails with WLPD and Attorney Pears; Conference with WLPD DC regarding Hammac ordinance enforcement and attend to several emails regarding same; Discussion with City attorney regarding Yard Sign Size, and follow-up email regarding same.

Ryan Matter - Reviewed e-mail from D. Dixon regarding settlement agreement and local agent issue; instructions to paralegal regarding settlement agreement; Reviewed e-mail from J. Schrier regarding settlement negotiation; reviewed previous e-mails; conference with E. Burns to discuss strategy; multiple e-mails exchanged with J. Schrier; additional conference with E. Burns; phone conference with D. Dixon regarding settlement; made changes to the settlement agreement; e-mail to J. Schrier; E-mail to J. Schrier regarding status of settlement.

Respectfully Submitted,



Eric H. Burns