



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

April 6, 2015

**Legal Report
For March 2015**

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

Council

Conference with department heads and attend Council meeting; Review email from HRC chair; pull and review HRC sexual orientation files; review resolutions from 1993 and 2010; review Indiana Civil Rights Code; Legal research regarding Indiana Civil Rights Code, meeting with City Attorney to discuss review of law; Review proposed resolution from Councilor Dietrich; revise with historical language from past resolutions.

Board of Works

Attend BOW, conference with Mayor regarding HRC discrimination provisions; Research conflict of interest issue regarding bidding on a contract, draft memo to City Attorney; Attend Department Head Meeting, conference with department heads; Phone conference with ADA coordinator and E. McKinnis regarding new park sculpture signs and ADA accessibility; discussion with Elliott regarding legal research needed; Research the United States Code, the Code of Federal Regulations, and guidelines issued by the Attorney General and the USDA regarding ADA standards and outdoor park signs, draft memo to City Attorney; Attend BOW, conference with Mayor regarding personnel and pending litigation; Attend to Parks purchase through BOW, and purchasing law, emails regarding retention of public records; Update Applicant list for Police Merit Commission and verify formula data; Review state statute on purchasing and respond to Parks and C.T. on quote procedure; Attend BOW, conference with C. T., Mayor regarding HUD, public records; Review frontier tort claim; Attend BOW, conference with Mayor and dept. Heads; Meeting with City Attorney to discuss for rent signage, sign height requirements, additional Area Plan Commission member for West Lafayette; Review letter regarding Garden Street park from neighbor; Attend BOW, conference WLDPC regarding parking expenses;

Wastewater Utility

Review and modify Greenway Easement with Purdue, telephone call to A. Allen esq. regarding same; Review file in RL Turner, telephone conference with M. Einterz esq. re same, arrange for mediation conference; Conference with C.T., superintendent re appeals to rate;

Development

Prepare for council meeting, review and analyze many emails from team regarding RFQ steps and to do items; Attend State Street Project Meeting, conference with S. Schultz esq., telephone call with A. Allen esq. regarding Joint agreement, modify same; Attend to State Street, review media information, complete joint defense agreement, review RFQ points draft; Review and respond to numerous emails regarding funding meeting, modifications to code, PDA terms, nature of license rights granted to Concessionaire; Edit Joint Defense Agreement, retrieve and review INDOT Relinquishment Agreement for use by Counsel, request executed copy of BOT resolution for use of counsel; Review numerous emails with multiple attachments regarding Road School, Q&As/FAQs; review and respond to Counsel regarding Relinquishment on State Street and BOT resolution; Review numerous agreements regarding relinquishment to determine State Street ownership issues, telephone call from D. Starkweather esq. regarding PILOT, review ADA/signage memo; Detailed review and analysis of State Street title issues re INDOT, email regarding same; Conference with city team regarding State Street Project, review proposal and MOU, outline arguments for negotiation; Review calculations from CPA, plan argument and transmit to city team, review appellate decision regarding TIF fund restrictions, conference with T. Brooks esq., attend to regular meeting cancellation; Review Resolution regarding Conduit financing application, conference with T. Brooks esq. regarding same; Conference with State Street team, conference Mayor regarding same, email to S. Schultz esq. regarding same; Prepare for and attend negotiation meeting regarding State Street;

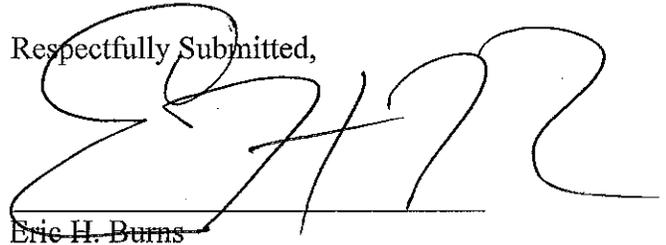
Code Enforcement

Review sign provisions memo, letter and proposed language with ZW, prepare for transmittal; Meeting with City Attorney to go over changes to Rental Certificate Form, discuss letter to landlords, and UZO implications on For Rent signs, make changes to draft letter and proposed language; Conference with PC re parking at PU and enforcement of city ordinances; review and approve settlement in B. Ryan; Attend to numerous rental inspection cases sent from B. May; Review memo on sign ordinance; meeting with City Attorney regarding rental signs on occupied property; Begin working on memo regarding rental signs on occupied property; Tax Certificate with engineering staff re Cline Design, conference with ZW.

Legal Report
March 2015

Regarding B. Ryan OV matters, drafted e-mail to D. Dixon regarding settlement proposal; Reviewed e-mail and attachment from D. Dixon re settlement terms; instructions to paralegal regarding demand letter; reviewed and revised demand letter to J. Schrier; brief conference with City Attorney to discuss and finalize; multiple-mails exchanged with J. Schrier; also a phone conference with J. Schrier to discuss hearing date; Phone conference with J. Schrier to discuss settlement terms; instructions to paralegal regarding court hearing; e-mail to D. Dixon and R. Walker; Court appearance in Superior 1 to reschedule the hearing on the petition for judicial review; Phone conference with Dale Dixon and Rick Walker to discuss settlement terms and local agent and inspection issues.

Respectfully Submitted,

A large, stylized handwritten signature in black ink, appearing to read 'EHB', is written over a horizontal line.

Eric H. Burns