



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

June 1, 2015

**Legal Report
For May 2015**

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

Council

Review agenda items, conference with Mayor and Councilors, dept. heads and bond counsel, attend Council Meeting; Review previous HRC minutes; attend HRC meeting; Email to HRC subcommittee regarding online complaint form; Draft Resolution Approving First Supplement to ICA; Attend to second class transition ordinance with J. Woods esq; Review email from HRC subcommittee; email to Betina regarding scheduling; Follow-up email correspondence with Betina and HRC committee member regarding Online Complaint Form; Conferences with Mayor, CE, DD, C.T. regarding council filings, accounting for expenditures, credit facility structure, record keeping going forward by city for finances and relevant documents, telephone call from and to T. Benton esq regarding same; Conference with DD regarding bond resolutions, attend Pre-Council, conference with dept. heads;

Board of Works

Revise draft of ordinance regarding parking fine/permit surcharges; Attend Department Head meeting, conference with dept. heads regarding pending projects; Correspondence with J. Burks and A. Yohe regarding bond claim at 3757 Wakefield Drive; Telephone conference with N. Foster regarding copier lease document pack; Telephone conference with B. Grossmann at Crossroads regarding same; Revisions to BOW Resolution 2015-1 and opinion letter; Email correspondence with C.T. staff regarding lease documents; Review documents from Crossroads Bank regarding copier lease; revise board of work resolution; revise attorney opinion letter; prepare opinion and transmit regarding copier lease financing; Attend BOW, multiple meetings with dept. heads; Review and reply regarding case reports on Oluwatimi tort claim; Conference with Mayor, PC regarding Norcan, attend BOW; several conferences with T. Brooks esq, ZTW, PWD regarding Gutwein condemnation filing; Telephone call from C.T. to review state statutes and forward regarding special tabulation; Attend BOW, conference with Mayor and dept. heads

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regarding annexation, riverfront license, personnel issues; Begin working on memo regarding 208 Stadium; Conference with E. Burns to discuss appearance at police merit commission meeting;

Wastewater Utility

Conference with attorney Fergus regarding the mortgage foreclosure case against the property at 2617 Covington Street; Draft letter to opposing counsel regarding agreement; Telephone call with superintendent regarding PU/SBOA agreement;

Development

Emails with B. Zoeller regarding counsel opinion letters in the EDC/PRF financing projects; Attend meeting regarding State Street overview and financing, emails with team and CPA, review emails from S. Schultz esq and A. Allen esq; Meeting with City attorney and Tom Brooks Jr. regarding condemnation lawsuit to be filed against Abby Manor for RDC; Review email chain regarding previous good faith offer; cursory review of appraisal documents; Review statute regarding eminent domain; begin drafting complaint; Review emails from Tom Brooks regarding council approval and service of offer; Meeting with paralegal regarding condemnation proceeding against Abby Manor; additional revisions to draft complaint; Review online tax database records and email to City Attorney regarding title search; Meeting with attorney regarding Abby Manor condemnation, draft Appearance, Notice of Show Cause, Summons and Lis Pendens, emails to attorney; Meeting with Stallard & Schuh staff regarding Title Search for RDC take; Review emails from Tom Brooks Jr. regarding RDC take; brief discussion with Tom regarding same and corresponding title search on the property; Briefly review Title Search regarding Eminent Domain Take; email to paralegal regarding filing; Review Title work; email attorney regarding lien holder;

State Street Project - Attend EDC meeting; Telephone call from J. Treat CPA, review email with latest KPMG calculations; Conferences in person and via telephone and email with City team, Mayor, working group, A. Allen esq, review PDA changes and team comments; Review all comments to discuss final PDA edits, emails to counsel and city Team regarding same; Re draft RFP, multiple conferences with City Team and review numerous emails regarding RFQ and PDA; continued attention to Project including emails and telephone calls regarding financial terms, PDA terms, Resolution filing deadline, conference to prepare for negotiation session, telephone call from Mayor; Continue attention to finalize PDA via numerous conferences, emails, telephone calls, drafting of provisions, negotiations with counsel; Prepare Resolutions for Council special meeting, telephone calls and emails regarding final negotiation session, attend meeting with principals; Conduct negotiations via multiple sources, finalize all for filing for special council meeting; Review status update from PWD and CPA, respond to same, prepare

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PDA exhibits; Review financial schedules from CPA, review deletions to SOQ and approve same, attend to numerous emails regarding changes to RFQ and media communications plans; Attend conference with Councilors and RDC, conference with D. Buck, compile information for exhibit 6.1; Prepare for and attend briefing for Council and RDC members; Attend to multiple project tasks regarding financing, meetings with RDC /Councilors, attend to inquiries from counsel regarding Joint Board meeting agenda and access for public records issues; Attend meetings regarding State Street project regarding PDA and Council resolutions; Review request from public regarding records, prepare for and attend Joint Board meeting, conference with attorneys regarding TIF support negotiations; Attend State Street Meeting, Attend to execution copies of documents for posting, conference with RDC Counsel and bond counsel regarding amendment by substitution for bond ordinance, begin drafting issues outline for credit facility back up; Conference with CE and DD regarding State Street legal meeting regarding condemnation resolution before Council, multiple emails regarding same.

Code Enforcement

Discussion with City Attorney regarding Historic Preservation Committee and upcoming meeting; Preliminary review of Historical Preservation Ordinance in preparation for sub-committee meeting regarding Certificate of Appropriateness; Discussion with City Attorney regarding work session of Historic Ordinance; Review Open Doors Procedures and emails from Department Head; Historic Ordinance: Multiple phone calls with Development staff regarding committee meeting and requirements of Open Doors Law; Discussion with City Attorney regarding opinion on meeting; discussion with Development Dept. Head; meeting with Development Dept. Head at Morton; Historic Ordinance: Meeting with City attorney regarding hearing procedure; review ordinance and draft guide regarding Commission's hearing factors for new construction; phone conference with Kurt Wahl, Commission advisor; Historic Ordinance: Prepare standard of Proof Exhibits for Commission members regarding Secretarial Services. 24.188 and new construction; Phone conference with Chandler; Meet with Kurt Wahl and Chandler before Historic Ordinance Meeting; Attend Historic Ordinance hearing on Mike Plonski Certificate of Appropriateness; Multiple meetings and telephone conferences, review of documents and code provisions, attend meeting of H.P.C.; Attend to inquiry regarding violation of grandfathered rental housing through abandonment, respond and conference with ZW regarding further investigation; Review email from Councilor Bunder regarding 208 W. Stadium; Confirm Zoning class for 208 W Stadium and status of two-family housing in RIU zones; Legal research on intent requirement for abandonment in local zoning ordinances; Discussion with City Attorney; Telephone call from NRT regarding notices for violation, telephone call to property owner regarding same; Attend to emails on 208 W Stadium issue regarding possible non-conforming use being discontinued; 208 W. Stadium: Review police call log provided by Rick Walker; Review various emails from Engineering and NRT departments;

Ryan Matter - Drafted Agreed Order; court appearance in Superior 1 for status conference; Drafted the settlement agreement; additional work on the agreed order; appearance in Superior 2 for status conference.

Respectfully Submitted,

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

Eric H. Burns