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**September 8, 2015**

**Legal Report  
For August 2015**

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

**Council**

Draft Resolution to Incorporate Agreement into Ord 24-15; conference with Attorney; Email to/from Clerk's office; Review August Agenda.

**Board of Works**

Attend dept. head meeting, attend to code issues with associate raised in meeting; Review and analyze Whitestown annexation appellate case; Email correspondence with J. Hardebeck regarding the property on Wakefield Drive and the issue involving a contractor's bond; Attend BOW; review tort claim notice in Jacob Perry regarding CityBus, transmit to MBAH; Review Parktoria file and make offer of settlement to counsel; Telephone R. Reiling, esq. regarding bidding, cooperative efforts with WLCSC; HRC: Email to subcommittee regarding online complaint form, task paralegal regarding conversion of form, Conversion and preparation of online complaint form, emails to B. Cochran; Review SBOA bond bulletin; Review UZO and GIS map for question regarding billboards in newly annexed territory, discussion with City Attorney regarding same; Telephone conference with J. Hardebeck regarding the property on Wakefield Drive and the issue regarding a contractor's bond; Discussion with Eric regarding BOW agenda and Purdue WWTU billing process, review emails from Purdue, Rhodes, Henderson regarding same; Review BOW agenda and discussion with City attorney regarding same, review emails regarding MKSK agreement; attend BOW meeting; Attend to emails with IT department regarding HRC online submission form; attend BOW, conference with insurance representatives, Members; Attend HRC meeting at Morton; Discussion with paralegal regarding resolution to add in New Chauncey agreement; email to IT staff regarding testing of HRC complaint form; Follow-up emails with IT department regarding HRC Inquiry form; Review and transmit Rathgeber tort claim; email to Tracey Stanifer regarding online complaint form; Attend

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conference with PC and staff with property owner regarding multi-jurisdictional city oversight of problems at rental property.

### **Wastewater Utility**

Review bond resolution and related documents from Bond Counsel, edit same; Review, execute and transmit Bose engagement letter for surplus bond funds; Review water tariff regarding fire protection fee, review IAC regarding same; Conference at plant with superintendent and FC on fire protection fee, review prior file; conference with P. Truitt regarding Connection Point Church Stormwater fee; Review WL City Code regarding WWTU provisions, review state statutory provisions on same, provide comments via email for Billing Rules for Major Customers; Review numerous emails regarding Major Provider Agreement; email to Randy Seger inquiring about 1-year lookback adjustment; Review IURC research regarding 1-year rule from Attorney Randy Seger, email to Dave Henderson; Review additional WWTU emails regarding major providers; brief discussion with Clerk and Dave Henderson; meeting with Dave Henderson to review BOW proposal; Attend to septic question and legal research regarding same; Attend to schedules for Fire Protection ordinance.

### **Development**

Review edit and transmit MKSK contract changes; Email to Tom Brooks Jr regarding status of Abby Manor; Review and approve MKSK Agreement changes.

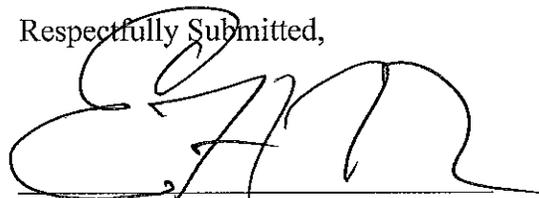
State Street Project – conference Mayor regarding State Street; Conference with T. Brooks regarding RDC and State Street funding; Attend Project team meeting, conference with members; Attend work session, conference with city team members regarding ROW acquisition costs, review public record requests, review B&T billing and transmit to city team members; Review email thread regarding feedback from market, conference with city team, prepare additional options for project delivery; Conference call regarding project bonding, various events for additional funding needed and methods to provide market assurance on same; attend to numerous emails regarding extraordinary events coverage options; Attend regular meeting of joint management and pre meeting on developer one on ones; Review a series of emails regarding Preliminary one on one offer; Attend preparation meeting for one on ones; Conference with City Team, Mayor; Review revised schedules, conference with city team, attend group meeting at PRF; attend to numerous emails regarding series B bonds, O and M, Todd's Creek.

**Code Enforcement**

Review Reed v. Town of Gilbert Arizona, U.S. Supreme Court Case, discussion with Eric regarding impact of case, email to Area Plan Commission Attorney Jay Seeger regarding impact on UZO; Review series of emails on Stonebridge Occupancy Permits; Conference with Mayor, chiefs recode enforcement at Waterfront property; Email to Dale Dixon regarding Reed v. Town of Gilbert and For rent Signs; Phone conference with Jay Seeger regarding Reed v. Town of Gilbert Arizona; discussion resign enforcement; Discussion with City Attorney regarding same; Dictate memo regarding Reed v. Town of Gilbert and suggestions from APC Attorney Jay Seeger.

Ryan Matter – Court appearance in Superior 1 for status conference; reviewed the settlement agreement; multiple e-mails exchanged with J. Schrier regarding agreed order; conference with E. Burns regarding settlement check; instructions to paralegal regarding finalizing settlement; Reviewed previous correspondence regarding settlement agreement and agreed order; responded to e-mail from J. Schrier regarding language of the agreed order and status conference; Reviewed and responded to e-mail from J. Schrier; court appearance in Circuit court for status conference; e-mail exchange with J. Schrier; Attend to Ryan case to close.

Respectfully Submitted,

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

Eric H. Burns