

Plains, Prairies, And Porsches

(Case 1032)

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The Case:

Topher Green, the City Engineer of Plebian, Kansas, has found himself in a serious predicament. In eighteen years of service to Plebian, Topher cannot remember ever being so concerned about the welfare of his community. The townspeople are his family, his lifelong friends and his chief concern, and they have always trusted Topher to make the wisest, most sensible decisions on behalf of the community. This faith in his abilities is what Topher is the most apprehensive about with regards to his current situation.

In 1979, the year that Topher graduated with his engineering degree from Kansas State University, Jim Barton, a Plebian farmer, resident, and city council member, opened his first retail outlet store, “Bar-Low’s.” His sole intent was to provide consumers with what he valued most: low prices, a family-friendly atmosphere, and southern hospitality. Because of Barton’s priority of satisfying his customers efficiently and economically, “Bar-Low’s” has grown to become the largest retail chain in the world.

But this growth has caused stress in Plebian. Due to increasing interest in the investments of the chain, national manufacturers are beginning to move their businesses to where their money is—Plebian, KA. Culture shock has already emerged as businesses and their employees relocate to the small community.

Topher is aware of the discomfort that the “outsiders” are causing the town’s residents. In fact, one member of the Plebian community last week wrote a letter to the editor of the local newspaper and complained that “these big ol’ trucks just keep movin’ people into town like cattle. . . I do believe I saw a feller with purple hair and a bolt through his nose move in next door to me Mondee.” The media is having a field day, and reporters like to refer to this strange mix as “urban chic meets rural limbo.”

But Topher is beginning to realize that “progress” could result in a divisive fight for the heart and values of Plebian. Development has created physical, cultural and economic barriers between old-time residents and newcomers. Special interests have begun to polarize City opinion on this matter, some arguing that Jim Barton would never have wanted such growth if it meant running over the “little guy,” and others embracing growth as the sure means of a better life for all.

It all comes down to land. Vast acres of land have already been bought up by investors in order to facilitate the new businesses and their employees daily arriving in Plebian.

Cappuccino shops, golf courses, housing editions, restaurants, hotels, and shopping centers have been built, with more in the developmental stages, and the plan is that they will be constructed as quickly as possible in order to facilitate the (wealthy) new arrivals with their penchant for the finer things of life.

In fact, the City just received a preliminary application for development of “Windsor Ridge”, an upscale, gated community east of town and encompassing several hundred acres of prime Plebian countryside. Topher is quite familiar with the site, since he and his boyhood friends fished, hunted, and explored this area when he was growing up. In his professional role as City Engineer, Topher now must approve this application for compliance with City codes and regulations.

Because of his personal knowledge of the Windsor Ridge property, while looking over the drawings, Topher notices that Windsor Ridge may adversely affect several of Plebian’s poorer families who live south of the development. These residents are descendants of settlers who arrived 145 years ago, and like family farmers everywhere, they have struggled to make it. Six generations are buried in the little cemetery lying behind the one-room Primitive Baptist Church. It is here that development of Windsor Ridge will likely cause secondary impacts, that is, an increase in vehicle traffic and modified drainage patterns on the property.

However, the design engineers have done a thorough job, and the proposed development itself appears to meet all codes and regulations. Not only this, but Topher notices with admiration that the new infrastructure associated with the Windsor Ridge development will definitely help resolve one of Plebian’s (and his) more pressing water pressure problems and transportation bottlenecks. This is just the type of benefit that Plebian’s new mayor, a long-time resident elected on a platform of managed growth, emphasized in her campaign. Since the mayor is Topher’s boss, it is clearly in Topher’s personal interest to approve the development if it satisfies all requirements.

Thus, Topher is torn. On the one hand, he sees the economic benefits of progress, but as Plebian’s native son, he feels sympathy for both the impacted community downstream and for the old-time Plebian residents as more of their precious community and land will be sacrificed on the altar of financial prosperity.

Of course, there is really not much Topher can do other than approve the drawings, since after all, they are quite thorough. But then again, there might be something. Topher realizes that the poor families downstream of Windsor Ridge would make the perfect “poster children” for the anti-development faction in Plebian. If the leaders of this faction somehow were to learn of Topher’s insight about the potential adverse secondary impacts, Topher is confident they could raise such a fuss that development would surely halt. All it would take is one clandestine phone call.

The beauty of Plebian’s environment and its culture for future generations hangs in the balance. What should Topher do?

Alternate Approaches and Survey Results for “Plains, Prairies, And Porsches” (Case 1032):

1. Leak the news, quietly. Topher should make the clandestine phone call anonymously. However, he should first confirm that the information on the plans is public knowledge; i.e., the leak of information should not be traceable to him.
Percentage of votes agreeing: 4%
2. Shock and awe. Topher should seize this opportunity to unveil his political ambitions and intentions to unseat the incumbent mayor. He should call a news conference, filmed on the steps of the downstream residents’ church, where he speaks directly against the evils of development and in favor of keeping Plebian the way Jim Barton would have wanted it.
Percentage of votes agreeing: 4%
3. Straddle the fence. Topher is aware of a clause in the City's code dating from the 1960s that all developments which tie into the City water system must first have Water Board approval (specified to occur at a public meeting). While this clause has not been recently enforced, Topher could conveniently use the opportunity to advise the Water Board to review the plans. If he plays his cards right, Topher can give the appearance of supporting the project (by supporting the water system improvements in the public forum) while bringing visibility to the project and alerting its potential opponents.
Percentage of votes agreeing: 0%
4. Give advance warning. Topher should call the design engineers in for a meeting. At the meeting, he should point out the potential secondary impacts to the downstream residents and inform the engineers that this is precisely the type of issue that the paper is looking for to use as "anti-growth" ammunition. If the project engineers are smart, they will ask Topher to put further consideration of their application on hold while they consult with their client.
Percentage of votes agreeing: 30%
5. Play hardball. Topher should make it his policy to carefully screen these and all other development plans for flaws, interpret questionable issues in favor of non-development, and enforce all requirements of the codes and regulations to the letter of the law. When possible, Topher should bog the application down with procedural matters; i.e., harass the developer.
Percentage of votes agreeing: 4%
6. Negotiate for success. Topher should call the developer in for a meeting where he points out the potential downstream impacts, and the dire implications attending thereto. Topher should then offer his assistance in achieving expeditious approval, and while so doing, he should “invite” the developer to provide major financial support to several of Plebian’s cultural preservation, history and heritage, and community enrichment projects.
Percentage of votes agreeing: 19%

7. Get involved. Topher should approve the development in his role as City Engineer, but as private citizen (and on his own time) leverage his anti-development views by assisting project opposition groups as they rally opposition to the growth taking place in Plebian.
Percentage of votes agreeing: 22%
8. Work the system. If Topher feels very strongly about these issues and is dissatisfied with current political leadership regarding growth and development, he can enter private practice and then become active in local politics to effect policies that he feels are more appropriate for his town.
Percentage of votes agreeing: 7%
9. Get with the program. Topher should approve the application without delay. He is bound by his professional relationship with his employer and responsibility as a professional engineer to fairly judge the project on its merits in compliance with local, state, and federal statutes, regulations, and ordinances. He has not been hired to substitute his personal preferences over reasonable and legitimate guidelines.
Percentage of votes agreeing: 11%
10. Hop on the bandwagon. The real issue is the revenue that the new development and infrastructure will bring to Plebian. Financial prosperity will always overcome small twangs of nostalgia. Topher should invest in a franchise of "Starbuck's," use his local influence to buy up outparcels around Windsor Ridge, and ramp up his net worth.
Percentage of votes agreeing: 0%

Forum Comments from Respondents

1. Exactly what does "modified drainage pattern" mean as an adverse impact? If the proposed site increases stormwater flows due to development, or it increases overland velocities causing possible erosion, this condition would qualify as adverse impact. If the proposed project meets all City\State\Federal criteria then it should move forward. If the project causes strain on the public street or storm sewer system, then upgrading that infrastructure should be the responsibility of the City if there are no defined development upgrade fees.
2. Topher faces both an engineering and a political problem. Therefore, this requires not just an engineering but a political solution. Topher's first order of business is to realize that more is going on here than just the numbers. If he is politically astute, Topher will guide this situation to the appropriate forum where a solution can be worked out which gives due consideration to all the interests. His role is definitely not to bury this type of problem in the depths of City Code provisions.

3. None of the alternatives match exactly what I would do in this situation. Of the choices given, probably the best is to invite the designers to a meeting and explain the situation and ask them to mitigate the effects.

Comments from Board of Review Members

1. The common wisdom long espoused by the development community is that "development will pay for infrastructure improvement." That is not the case and the opposite is true. On that basis, the town of Plebian, Kansas is going to have narrow streets downtown, surrounding the little square, with four-lane, divided boulevards beginning at the former edge of town and radiating into the newly developed areas. The old-timers will be finding it difficult to travel downtown to the cafe and the feed store, and the newcomers won't want to. This situation suggests the need for a broader, more open, political review and approval process, rather than simply accepting plans within the letter of the regulations.
2. Topher Green has no choice. He must base his decision on sound engineering principals. Personal feeling should not enter into the decision. It appears that the project meets all the city's regulations, ordinances, etc. Assuming the proposed development has resolved the traffic concerns in the poorer areas, the project should be approved. If in the review of the project, Topher Green determines that additional requirements should be adopted by the City to protect adjacent areas or environmental concerns, he should recommend the appropriate actions to the city administration.
3. I believe Topher should meet with the developer and suggest a project mitigating the environment of the poor people that will be impacted by the development, such as improved housing on the "habit for humanity" model. He might also arrange for better jobs for these families. I don't think he should fight the growth, but (assuming the mayor is correctly managing it) be sure it continues along the correct path. I believe the anti-growth people will just have to adjust. I suspect these anti-growth people are the ones who are comfortable financially and do not include the poor of the area. I believe it would be unethical for Topher to engage in using "poster poor" to stop the growth, but he might use the threat of it in case the developers and big business people don't contribute as they should.