

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney

RE: **CITY ATTORNEY REPORT**

DATE: December 8, 2016

The following is my report to the City Council on several issues in which our office has been engaged since the last Council meeting:

1. CNIPlastics. Discussions continue with defense counsel regarding ways to possibly avoid the inspection. I will be preparing a motion for an order to permit seizure of certain of the property owned by CNI Plastics. I will keep the Council advised.

2. City of Charlotte v Hearn Enterprises. This case had been on the back burner for some period of time. The City brought suit seeking to compel Hearn to clean up its property. In order to minimize costs, the parties agreed to hold off on actively litigating this case while Hearn cleaned up its property. City staff continued to monitor the condition, as well as me, and we both agreed that the property was significantly improved and all of the major pieces of trucking equipment and trailers had been removed. As a result, this case was dismissed based on the compliance with the requirements of the City.

3. Contract Review. I had the opportunity to review the proposed contract between the City and EF Services, and the contract appeared to be fine.

TMH:ddy