

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney

RE: **CITY ATTORNEY REPORT**

DATE: September 25, 2015

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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. Rockafellow v City of Charlotte. The City has received notification that Mr. Rockafellow has filed an appeal with the Michigan Court of Appeals. Both counsel for the City's insurer and I have filed Appearances with the Court of Appeals. This means we will receive notices and communications from the Court as this matter proceeds to its conclusion.

As this Council has had some experience with the appellate process, it can remember that this will be a long process. There were not a lot of transcripts in this matter so, unlike the *Owens-Brockway* appeal, there should not be a substantial delay in the preparation of the transcripts. The balance of the process will be identical and we can look forward to the Court of Appeals making some decision in this matter in 18-20 months from the filing of the appeal.

2. Ordinance Drafting. I received a request from City Council to prepare a new ordinance for the Building Board of Appeals and the Fire Board of Appeals. I would anticipate that the ordinance will be ready at the next Council meeting.

3. Airport Issues. I am working with Bryan Myrkle as it relates to an owner of an airplane who has been failing to pay his storage rental. I will keep the Council advised as this matter progresses.

TMH:ddy