

MEMORANDUM

TO: Charlotte City Council

FROM: Thomas M. Hitch, City Attorney

RE: **CITY ATTORNEY REPORT**

DATE: October 19, 2017

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. Construction Easement. I have prepared a construction easement for the upcoming demolition project of 108/110 E. Lawrence Avenue. Normally, no money is paid to the owner, as this is a temporary easement. According to the City Manager, the owners of the property have agreed to permit access along the east ten feet of their property on S. Cochrane Avenue.

2. Vacation of Roadway. I have been working with the City Manager on the vacation of a certain part of Harris Street that abuts the Hayes Green Beach Hospital. The vacating of the street is outside the travel portion of the roadway and will not impact travel on Harris Street. It is my understanding that vacating the street is necessary for setback purposes to permit the new construction for the hospital.

This process will require a resolution and publication over a certain number of weeks. Before the next Council meeting, I will have prepared the resolution and the requisite notices.

3. Panhandling. The City Manager and I have been in discussions regarding panhandling. As the Council may be aware, there are a number of decisions throughout the country adverse to the position of cities that it can ban panhandling in public rights-of-way. The City Manager has forwarded to me a recent attempt of another community to "regulate" panhandling, and I will be reviewing that. We will keep the Council advised.

TMH:ddy