



CITY OF ANN ARBOR  
2015 ANNUAL LIQUOR LICENSE REVIEW COMMITTEE HEARING

IN THE MATTER OF:

The Arena, Inc.  
(Business I.D. 140967)

Hearing Officer Jane Lumm  
Presiding

License No. 115576-2014  
Class C  
Permits Sunday Sales, OD-Serv, Specific Purpose (Food)

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Thomas L. Kent (P55863)  
For City of Ann Arbor

**STATEMENT OF FINDINGS**

This matter having been brought before the Ann Arbor City Council at a hearing held pursuant to the provisions of Section 436.1501(2) of the Michigan Compiled Laws, and in accordance with Chapter 109 of the Ann Arbor Code of Ordinances, at the Ann Arbor City Hall on March 4, 2015, commencing at 9:40 a.m., and Councilmember Jane Lumm presiding by resolution of the City Council, makes the following findings:

1. That based on the testimony presented and the records entered into evidence by the City Attorney there are sufficient grounds to support the City's objection to renewal of The Arena, Inc.'s liquor license.
2. That proper and timely Notice of the City's proposed objection to the renewal of The Arena, Inc.'s liquor license, including the date, time and location of the Hearing, the ordinance violations alleged, including copies of the delinquent tax bill, and Licensee's due process rights were served on Licensee by personal service and regular mail.
3. That Licensee, being so advised of its rights in the matter, failed to appear at the scheduled hearing and under the authority granted me as Hearing Officer by the City of Ann Arbor and in accordance with the adopted Liquor License Review

Committee Hearing Rule AAHR 7, testimony was taken from the City witnesses in the matter.

4. The proposed objection to said renewal, as provided in the Notice, is pursuant to Sections 9.79(1) of Chapter 109 of the Ann Arbor Code of Ordinances authorizes the City to object to renewal of a liquor license for:

(b) Failure to timely pay all personal property taxes and all real property taxes and all other obligations due and payable to the City or have outstanding any personal property tax or real property tax or obligation due and payable to the City as of the date of the annual review. Specifically the tax and obligations below:

**Tax Parcel No: 09-90-00-075-476**  
**Tax Yr 2013 Delinquency Amount \$8,618.03\***

\*Additional penalty will accrue if taxes are not paid by 3/31/15

5. Testimony and service documents of City personnel and records of the City indicate that violations of the above subsection did and continue to occur.

#### **RECOMMENDATION OF THE HEARING OFFICER**

Based on the Findings above, and also the submissions by Counsel for the City of Ann Arbor and statement by Counsel for the City, which was requested by the Hearing Officer, all in accordance with City of Ann Arbor Hearing Rule AAHR 7, and Licensee failure to appear and present evidence as to why an objection should not be filed, it is the recommendation of the Hearing Officer that a Resolution be presented to City Council for action at its March 16, 2015 regular meeting citing the Findings above and recommending to City Council that the City of Ann Arbor object to and recommend that the Michigan Liquor Control Commission not renew the liquor license of The Arena, Inc. unless full payment of delinquency in the amount of \$8, 618.03 is received in cash or certified check prior to that date.



Jane Lummm, Hearing Officer

Date: March 4, 2015