

# City of Ann Arbor

301 E. Huron St.  
Ann Arbor, MI 48104  
<http://a2gov.legistar.com/Calendar.aspx>



## Action Minutes

Thursday, February 23, 2012

2:30 PM

Ann Arbor Municipal Center, 301 E. Huron Street, 2nd Flr. Council  
Work Room

**Council Liquor License Review Committee**

### CALL TO ORDER

*The meeting of the City Council Liquor License Review Committee was called to order by Chair Tony Derezinski at 3:36 p.m. in the Council Work Room, 2nd Floor City Hall, 301 E. Huron Street.*

*City Clerk Jacqueline Beaudry, Lt. Bob Pfannes of the Ann Arbor Police Department, Assistant City Attorneys Mary Fales and Bob West, City Building Official Ralph Welton, City Treasurer Matt Horning, Deputy Treasurer Mike Pettigrew, and Anissa Bowden of the City Clerk's Office were in attendance.*

**Present:** 3 - Mike Anglin, Tony Derezinski and Jane Lumm

### APPROVAL OF AGENDA

**A motion was made by Councilmember Anglin, seconded by Councilmember Lumm, that the Agenda be Approved as presented. On a voice vote, the Chair declared the motion carried.**

### APPROVAL OF MINUTES

**12-0279** Council Liquor License Review Committee - February 7, 2012

**A motion was made by Councilmember Lumm, seconded by Councilmember Anglin, that the Minutes be Approved by the Commission and forwarded to the City Council by 3/19/2012. On a voice vote, the Chair declared the motion carried.**

### ACTION ITEMS

*The Chair welcomed the students from Skyline High School who were in attendance at the meeting.*

**12-0185** Resolution to Approve a Request to Transfer Ownership of a 2011 Class C Liquor Licensed Business with a Dance Permit, Located at 312 S. Main, from 314 S. Main, L.L.C. to Mélange Bistro LLC, d/b/a Mélange Bistro

**Sponsors:** Council Liquor License Review Committee

*Lt. Pfannes updated the committee regarding this item. He stated that the Michigan Liquor Control Commission will work with the applicant to resolve the issues surrounding the ownership transfer violations associated with the seller. Lt. Pfannes stated there were no further objections from the Ann Arbor Police Department and he recommended approval.*

*Linda Mayer, an attorney representing the petitioner, was available to answer any questions.*

**A motion was made by Councilmember Anglin, seconded by Councilmember Lumm, that the Resolution be Recommended for Adoption to the City Council on 3/5/2012. On a voice vote, the Chair declared the motion carried.**

Enactment No: R-12-079

**OLD BUSINESS**

Annual Renewals

*City Clerk Jacqueline Beaudry stated the Clarion Hotel has paid all outstanding taxes. Building Official Ralph Welton said he is working with the applicant regarding some outstanding building permit issues and he is comfortable with the license renewal moving forward as they work on these issues.*

*Councilmember Lumm moved, seconded by Councilmember Anglin, that the committee concur with the recommendations of staff to recommend MLCC approval of the annual renewal for Clarion Hotel. On a voice vote, the Chair declared the motion carried.*

*City Treasurer Matthew Horning updated the committee on the status of Rush Street. He stated the applicant has not yet paid the outstanding delinquent personal property taxes that are owed; \$8,040.42 and he would recommend that non-renewal at this time.*

*Councilmember Anglin moved, seconded by Councilmember Lumm, that a resolution be sent to City Council on March 5 requesting a hearing for non-renewal of the application by Rush Street due to the non-payment of personal property taxes in the amount of \$8,040.42. The requested hearing would be scheduled for March 19. On a voice vote, the Chair declared the motion carried.*

*Beaudry updated the committee on the status of Zal Gaz Grotto. She stated this applicant was on the list only due to a clerical error. The outstanding personal property taxes in the amount of \$710.06 were actually for the applicant, Yamato. Because of the clerical error, the City Clerk's Office did not notify Yamato of the objection to the liquor license renewal. However, Beaudry and Horning both noted that the City Treasurer has otherwise sent delinquency notices to Yamato. At this time, staff was recommending approval of both Zal Gaz Grotto and Yamato.*

*Councilmember Anglin moved, seconded by Councilmember Lumm, that the applications for liquor license renewal of Zal Gaz Grotto and Yamato be recommended for approval. On a voice vote, the Chair declared the motion carried.*

*Beaudry updated the committee on the status of the annual renewal process. She stated the following business had resolved all outstanding issues since the last meeting and approval was recommended:*

*Live at PJ's  
Fraser's Pub  
Mediterrano  
Paesano's  
UMI Sushi  
Ashley's  
Miki Japanese  
Theory  
West End Grill*

*Councilmember Lumm moved, seconded by Councilmember Anglin, that the committee concur with the recommendations of staff to recommend MLCC approval of the annual renewals for these liquor-licensed establishments. On a voice vote, the Chair declared the motion carried.*

*Beaudry stated the City Attorney's Office was handling the outstanding issues regarding the Elk's Lodge and Dream Nite Club. Assistant City Attorney Mary Fales*

*updated the committee on the Elk's Lodge. She stated the Planning and Development Services Unit is working with the Elk's to resolve their outstanding zoning issues. At this time, staff was recommending to proceed with the recommendation to approve the annual renewal of the liquor license.*

*Councilmember Anglin moved, seconded by Councilmember Lumm, that the application for liquor license renewal by Elk's Lodge be recommended for approval, noting that the applicant was still working with Planning and Development regarding some outstanding zoning violations. On a voice vote, the Chair declared the motion carried.*

*Fales and Lt. Pfannes updated the committee on the status of the application for liquor license renewal by Dream Nite Club. A letter was read from Chief Barnett Jones of the AAPD, stating the following reasons for objection to the renewal application:  
9:79(d) - violations of the City Code, (e. iii and vi) - maintenance of a nuisance including a pattern of conduct that disturbs the peace, order and tranquility of the neighborhood and numerous police contacts with the licensed premises and or its patrons. In addition MLCC violation 1-147103 was noted, two instances of allowing the annoying or molesting of a customer by another customer. Staff recommended a City Council recommendation of non-renewal.*

*Councilmember Anglin moved, seconded by Councilmember Lumm, that a resolution be sent to City Council on March 5 requesting a hearing for non-renewal of the application by Dream Nite Club due to the reasons identified in the letter of objection by Chief Barnett Jones, numerous police contacts with the establishment and the MLCC violations noted. The requested hearing would be scheduled for March 19. On a voice vote, the Chair declared the motion carried.*

## **NEW BUSINESS**

## **INFORMATION/UPCOMING BUSINESS**

## **ADJOURNMENT**

*Seeing no further business before the committee, Anglin moved, seconded by Lumm, that the meeting be adjourned at 4:10 p.m. On a voice vote, the Chair declared the motion carried and the meeting was adjourned.*