

CITY OF HAMTRAMCK
OFFICE OF THE EMERGENCY MANAGER

CATHY L. SQUARE

3401 Evaline
Hamtramck, MI 48212
Telephone: (313) 876-7700

Dated: July 17, 2014

ORDER NO. S-013

**RE: Council Hearing regarding Ice Club LLC, d/b/a Club Aces and
Recommendation to Michigan Liquor Control Commission**

**TO: City Clerk
Mayor
City Council**

The Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.1541, et. seq.) in Section 10(1) states that “[a]n emergency manager shall issue orders to the appropriate local elected and appointed officials and employees, agents, and contractors of the local government the orders the emergency manager considers necessary to accomplish the purposes of [the] act, including, but not limited to, orders for the timely and satisfactory implementation of a financial and operating plan... or to take actions, or refrain from taking actions, to enable the orderly accomplishment of the financial and operating plan.” Any such orders are binding on the local elected and appointed officials and employees, agents, and contractors of the local government to whom they are issued.

Section 9(2) provides that following the appointment of an emergency manager and during the pendency of receivership, the governing body and the chief administrative officer of the local government shall not exercise any of the powers of those offices except as may be specifically authorized in writing by the emergency manager or as otherwise provided by this act and are subject to any conditions required by the emergency manager

WHEREAS, a financial emergency exists with respect to the City, and the Emergency Manager has been appointed by the State of Michigan with the power and authority to oversee the financial condition of the City; and

WHEREAS, the Emergency Manager is authorized under Public Act 436 to issue the orders the manage affairs necessary to accomplish the purposes of the Public Act 436, including, but not limited to, orders that may grant local units of government authority to act regarding matters that may otherwise fall under the provisions of Public Act 436.

WHEREAS, on June 20, 2014, at a special meeting of City Council, the Council resolved to hold a hearing on July 21, 2014 to determine whether it should be recommended to

the Michigan Liquor Control Commission that the Liquor Licenses and Entertainment Permits of the Ice Club LLC d/b/a Club Aces be revoked ; and

WHEREAS, the recommended revocation of a Liquor License is a local issue and is best investigated and decided by the local governing body after due notice, hearing and fact finding.

NOW, THEREFORE, BE IT ORDERED AND RESOLVED, by the Emergency Manager of the City of Hamtramck, that

1. The Emergency Manager hereby gives written approval for City Council to investigate and hear this matter, as provided for pursuant to applicable law.
2. City Council further has full authority to make any recommendations to the Michigan Liquor Control Commission regarding this matter that they deem appropriate and necessary.

The Order shall have immediate effect.

Copies of the documents referenced in this Order are to be maintained in the offices of the City Clerk and may be reviewed and/or copies may be obtained upon submission of a written request consistent with the requirements of the Michigan Freedom of Information Act and subject to any exemptions contained in that state statute and subject to any exemptions allowed under that statute (Public Act 442 of 1976, MCL 15.231, et. seq.).

This order is effective as indicated and is necessary to carry out the duties and responsibilities required of the Emergency Manager as set forth in the Local Financial Stability and Choice Act (Act 436 of 2012/MCL 141.15411, et. seq.) and the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Manager.


Cathy Square
City of Hamtramck
Emergency Manager

cc: State of Michigan Department of Treasury