
In the Matter of
ENERGY EVENT CENTER

Hearing Officer
Human Resources Director/Chief Labor
Negotiator, Elizabeth O'Leary

CABARET LICENSE HEARING

FINDINGS OF FACT AND RECOMMENDATION

A hearing was held on August 24, 2023 and I, Elizabeth O'Leary, as the hearing officer, appointed by the Lansing City Council make the following Findings of Fact and Recommendations/Conclusions.

The parties that attended the hearing were:

Respondent: Ryan Cabell

Respondent's Counsel: Dan Doyle

City Attorney's Office: Lisa Hagen-Lawrence

Lansing Police Department: Andrew Watkeys

FINDINGS OF FACT

1. Ryan Cabell, of Energy Event Center, holds a current cabaret license with the City of Lansing with an effective date of May 19, 2023 through May 1, 2024. **(Exhibit 5)**
2. On July 29, 2023, Mr. Cabell held a concert that began at 9:00 PM at Energy Events Center featuring several artists. This concert was advertised via Facebook and Event Bright, and admission was charged for entrance. **(Exhibit 8)**
3. On or about 1:00 AM on July 30, 2023, Lansing Police Department Officers were dispatched to 3222 South Martin Luther King Jr. Blvd. for reports of a shooting incident. When officers arrived there was a large amount of people in the parking lot and five (5) victims identified, ranging from fifteen (15) years of age to twenty-six (26) years of age. Two (2) victims are still currently in critical condition. **(Exhibit 7)**

4. Twenty-six (26) Lansing Police Officers responded to the scene with eight (8) additional officers from neighboring jurisdictions. Multiple firearms were found at the scene and in a neighborhood nearby. Seventy (70) bullet casings were recovered at the scene. **(Exhibit 7)**

5. On or about August 7, 2023, Officer Andrew Watkeys authored a case report regarding the July 29/July 30, 2023 concert that was held at Energy Events Center. **(Exhibit 8)**

6. The report outlined that Mr. Cabell held the concert without a Show License as defined in the Lansing Code of Ordinances. The definition of a show is *“any circus, menagerie or other exhibition, entertainment, carnival or show of any nature and name, for which money or other consideration is in any way demanded or received for admission thereto.”* **(Lansing Code of Ordinances 860.01, Exhibit 3 & Exhibit 8)**

7. The Lansing Code of Ordinances also states that *“No person shall sponsor, operate, exhibit or perform, or cause to be operated, exhibited or performed, any show in the City without first obtaining a license therefor.”* **(Lansing Code of Ordinances 860.02(a))**

8. Multiple artists were promoted in Facebook posts along with the cost of general (\$20.00) and VIP (\$40.00) admissions. **(Exhibit 8)**

9. On or about, August 7, 2023, a letter dated August 4, 2023 was filed with the Lansing City Clerk’s office from Police Chief Ellery Sosebee requesting that Energy Events Center’s cabaret license be revoked. **(Exhibit 7)**

10. The Lansing Code of Ordinances 808.08 states that *“Every license issued under this chapter is revocable by the City if the licensee fails to make any payment required by Section 808.10, or operates his or her business in violation of any other provisions of this chapter, other ordinances of the City or State, or Federal Law.”* **(Exhibit 2)**

11. The Lansing Code of Ordinances Section 808.10 states *“The purpose of this section is to encourage licensees to take responsibility for the safety of their patrons and the public by instituting measures necessary to prevent violence or violations of the Lansing Code of Ordinances, including but not limited to Part 6 and Chapter 664 thereof, on the premises and to discourage reliance on the City to provide such measures, by requiring notice, for payment for the services rendered by the City.*

Maintaining the peace means action(s) to prevent violent behavior or a violation of the Lansing Code of Ordinances, including, but not limited to, Part 6 and Chapter 664 thereof, from occurring on the premises.

Occurrence means an event resulting in City services.

Premises means the entire lot on which a cabaret is located, all parking, parking lots, and parking facilities indented for use by patrons of the cabaret and all surrounding areas within 1,500 feet of the boundaries of the lot on which the cabaret is located.” **(Exhibit 2)**

12. The letter from Chief Sosebee states that security personnel was present, but was not monitoring the parking lot. Testimony from Officer Watkeys notes that security personnel stated they were not responsible for outside of the venue until after the event. Mr. Cabell stated in testimony that five (5) security personnel were assigned to the parking lot. **(Exhibit 8 and Transcript, Page 15 & 46)**

13. Energy Event Center does not hold a liquor license, but patrons were captured on body worn cameras with bottles of alcohol and red solo cups. Mr. Cabell testified that he only served “pop, cranberry juice, orange juice, potato chips and bottled water.” (Exhibit 8 & Transcript Page 45)

ANALYSIS & RECOMMENDATION


The Lansing Code of Ordinance language regarding the Cabaret License Revocation is clear when it states that a license holder is required to maintain the peace on the property during the event. The ordinance also speaks to licensees taking responsibility for the safety of patrons and the public in preventing violence. The acts of violence occurred in the parking lot, according to testimony of both parties, somewhere between 250 feet and 464 feet of the entrance of the event. In this situation, the parking lot is well within the definition of premises found in ordinance language. The requirement of maintaining peace to ensure the safety of the patrons and residents was not adhered to by Energy Event Center during the event on July 30, 2023.

During the hearing there was testimony along with exhibits showing alcohol use in the parking lot of Energy Event Center. A bottle was on one of the light posts and there was also a bodycam picture of an individual holding a liquor bottle. Testimony indicated that individuals in the parking lot were also exhibiting signs of intoxication. While I will cannot opine with certainty on the contents of the numerous red solo cups pictured in the bodycam photos, given the testimony presented, it would be likely that alcohol use was present. Open alcohol in a public place is a violation of the Lansing Code of Ordinances. The requirement that a cabaret licensee has to abide by all state, local and federal laws was not adhered to when open alcohol was allowed on the premises.

The Lansing Code of Ordinances requires a Show License for any “*circus, menagerie or other exhibition, entertainment, carnival or show of any nature and name, for which money or any other consideration is in any way demanded or received for admission thereto.*” The concert that took place on July 29th and July 30, 2023, falls within the scope of this ordinance as the event provided live artists with general and VIP entrance fees. Testimony in the hearing conveyed that Energy Event Center did not possess a show license. The requirement that a cabaret licensee has to abide by all state, local and federal laws was not adhered to when a show license was not obtained.

Multiple people were tragically injured in the early morning hours of July 30, 2023. In light of the ordinance language, testimony and evidence submitted during the hearing, I recommend that the Lansing City Council revoke the cabaret license held by Energy Events Center.

Date: 9/1/2023

By: 
Elizabeth O'Leary