



TROY CITY COUNCIL

SPECIAL MEETING AGENDA

JUNE 27, 2011

CONVENING AT 3:00 PM

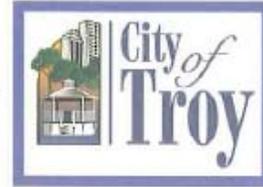
COUNCIL BOARDROOM

PERMITTED BY CALL OF THE MAYOR: JUNE 24, 2011

**FOR THE PURPOSE OF APPROVING THE APPLICATION FOR LIQUOR LICENSE
TRANSFER FOR SANCTUARY LAKE GOLF MANAGEMENT, LLC.**

**Submitted By
The City Manager**

NOTICE: Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3316 or via e-mail at clerk@troymi.gov at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.



TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: John Szerlag, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your Agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible amendment and adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

As always, we are happy to provide such added information as your deliberations may require.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Szerlag". The signature is fluid and cursive.

John Szerlag, City Manager

Troy City Council

Vision Statement and Goals

Monday, February 7, 2011

Vision:

To honor the legacy of the past and build a strong, vibrant future and be an attractive place to live, work, and grow a business.

Goals:

Provide a safe, clean, and livable city

- Practice good stewardship of infrastructure
- Maintain high quality professional community oriented police and fire protection
- Conserve resources in an environmentally responsible manner
- Encourage development toward a walkable, livable community

Provide effective and efficient local government

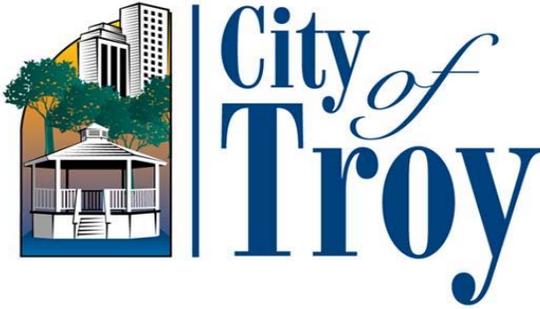
- Demonstrate excellence in community services
- Maintain fiscally sustainable government
- Attract and support a committed and innovative workforce
- Develop and maintain efficiencies with internal and external partners
- Conduct city business and engage in public policy formation in a clear and transparent manner

Build a sense of community

- Communicate internally and externally in a timely and accurate manner
- Develop platforms for transparent, deliberative and meaningful community conversations
- Involve all stakeholders in communication and engagement activities
- Encourage volunteerism and new methods for community involvement
- Implement the connectedness of community outlines in the Master Plan 2008

Attract and retain business investment

- Clearly articulate an economic development plan
 - Create an inclusive, entrepreneurial culture internally and externally
 - Clarify, reduce and streamline investment hurdles
 - Consistently enhance the synergy between existing businesses and growing economic sectors
 - Market the advantages of living and working in Troy through partnerships
-



**TROY CITY COUNCIL
SPECIAL MEETING
AGENDA
June 27, 2011 – 3:00 PM
Council Boardroom
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317**

A.	CALL TO ORDER:	1
B.	ROLL CALL:	1
C.	DISCUSSION ITEM:	1
C-1	Application for Liquor License Transfer for Sanctuary Lake Golf Management, LLC	1
D.	PUBLIC COMMENT:	2
E.	ADJOURNMENT:	2

A. CALL TO ORDER:

B. ROLL CALL:

- (a) Mayor Louise E. Schilling
 Robin Beltramini-Absent
 Wade Fleming
 Martin Howrylak
 Mayor Pro Tem Mary Kerwin
 Maureen McGinnis
 Dane Slater

- (b) Absent Council Members:

Suggested Resolution

Resolution #2011-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Beltramini and _____ at the City Council Special Meeting of Monday, June 27, 2011 due to being absent from the County.

Yes:

No:

C. DISCUSSION ITEM:

C-1 Application for Liquor License Transfer for Sanctuary Lake Golf Management, LLC

(a) Transfer Ownership

Suggested Resolution

Resolution #2011-06-

Moved by

Seconded by

RESOLVED, That the Troy City Council hereby **APPROVES** the Transfer of Ownership to Sanctuary Lake Golf Management, LLC from Kosch Special Events, LLC of a 2011 Class C Liquor License for 1450 E. South Boulevard, Troy, Michigan 48085, Oakland County, Michigan as fully set out in its application as follows:

Liquor License Applicant :	Sanctuary Lake Golf Management, LLC
Type of License Requested :	Transfer Ownership of 2011 Class C, issued under MCL 436.1515(1) non-transferable and SDM Licensed Business with Official Permit (Food, Golf), Outdoor Service (1 Area) and 3 Bars from Kosch Special Events, LLC, and requests to Add New Outdoor Service (2nd Area).

Located at :	1450 E. South Boulevard, Troy, MI 48085, Oakland County
MLCC Request # :	614151

and

(b) Agreement

Suggested Resolution

Resolution #2011-06-

Moved by

Seconded by

WHEREAS, The Troy City Council deems it necessary to enter into agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with the liquor license applicant named in the approved resolution above, and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes:

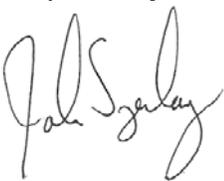
No:

Absent:

D. PUBLIC COMMENT:

E. ADJOURNMENT:

Respectfully submitted,



John Szerlag, City Manager

PUBLIC COMMENT:

In accordance with the Rules of Procedure of the City Council, Article 16 – Members of the Public and Visitors

Any person not a member of the City Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry or comment. *City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

- Petitioners shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to five (5) minutes to address any Public Hearing item.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to five minutes to address Postponed, Regular Business or Consent Agenda items or any other item as permitted under the Open Meetings Act during the Public Comment portion of the agenda.
- City Council may waive the requirements of this section by a majority of the City Council members.
- City Council may wish to schedule a Special Meeting for Agenda items that are related to topics where there is significant public input anticipated.
- Through a request of the Chair and a majority vote of City Council, public Comment may be limited when there are fifteen (15) or more people signed up to speak either on a Public Hearing item or for the Public Comment period of the agenda.



CITY COUNCIL AGENDA ITEM

Date: June 24, 2011

To: John Szerlag, City Manager

From: Gary Mayer, Chief of Police
Captain Gerard Scherlinck
Lieutenant Robert Redmond

Subject: Application for Liquor License Transfer for Sanctuary Lake Golf Management, LLC.

Background

Sanctuary Lake Golf Management, LLC (a Virginia Limited Liability Company), requests to Transfer Ownership of 2011 Class C, issued under MCL 436.1515(1), non-transferable and SDM Licensed Business with Official Permit (Food, Golf), Outdoor Service (1 Area) and 3 Bars, located at 1450 E. South Boulevard, Troy, MI 48085, Oakland County from Kosch Special Events, LLC and requests to Add New Outdoor Service (2nd Area) {MLCC Req. #614151}.

On April 11, 2011, John Carlin was present to answer questions from the Liquor Advisory Committee. Since Sanctuary Lake Golf Management, LLC had not yet submitted an application for the transfer of the liquor license, and since the liquor license transfer takes months to process, other options were pursued to make sure that there was no break in beverage service at the golf course. One of the options explored was to have the City as the liquor licensee, and Sanctuary Lake Golf Management, LLC. would be a participation permittee. However, the MLCC process to transfer the license to the City would about the same time as a transfer to Sanctuary Lake Golf Management, LLC., and the City would be precluded from transferring the license for a three year period. As a result, Sanctuary Lake Golf Management, LLC. has worked with the current liquor license holder, Kosch, who was willing to stay until the license transfer request is processed. However, both parties could not come to a financial agreement and Kosch withdrew from the agreement and no alcoholic beverages have been served this golf season. Some private fundraisers ("Scrambles") have occurred in which the party holding the event have been able to secure a Temporary 24 Hour Special Liquor License.

Since that time, we did receive the application form from the MLCC regarding Sanctuary Lake's request for transfer. The Liquor Advisory Committee unanimously passed a resolution approving the transfer at their April 11, 2011 meeting (resolution is in the attached April 11 meeting minutes).

The Police Department Investigation did not find any reason not to grant the license request.

The request complies with all applicable Troy City Ordinances and Michigan Liquor Control Commission Rules.



CITY COUNCIL AGENDA ITEM

Recommendation

Recommend approval of the request from Sanctuary Lake Golf Management to Transfer Ownership.
Prepared by: Jeff Oberski



INTEGRITY * RESPECT * LAWS AND THE CONSTITUTION * ACCOUNTABILITY * PROBLEM SOLVING * PROFESSIONALISM

MEMORANDUM

DATE: 6/24/11

TO: Chief Gary Mayer

FROM: Captain Gerard Scherlinck
Lieutenant Robert Redmond
James Feld

RE: Executive Summary regarding License Transfer for Sanctuary Lake Golf Management, LLC (Billy Casper Golf)

- Sanctuary Lake Golf Management, LLC (a Virginia Limited Liability Company), requests to Transfer Ownership of 2011 Class C, issued under MCL 436.1515(1), non-transferable and SDM Licensed Business with Official Permit (Food, Golf), Outdoor Service (1 Area) and 3 Bars, located at 1450 E. South Boulevard, Troy, MI 48085, Oakland County from Kosch Special Events, LLC and requests to Add New Outdoor Service (2nd Area) {MLCC Req. #614151}.
- On April 11, 2011, Attorney John Carlin was present to answer questions from the Liquor Advisory Committee. The Liquor Advisory Committee unanimously passed a resolution approving two actions as alternatives, and their resolution is reflected in the attached minutes of the April 11, 2011 meeting.
- Information at that time was that Sanctuary Lake Golf Management, LLC was to work with the current liquor license holder, Kosch Special Events, LLC, who was willing to stay until the liquor license was transferred to allow for continued sale of alcohol at the facility. However, about the middle of April, 2011, a financial deal could not be agreed upon by both parties and Kosch withdrew his agreement to stay. There has been no sale of alcohol during this golf season except for a few private events (Golf Scrambles) in which the party holding the event secured a Temporary 24 Hour Special Liquor License.
- The police investigation regarding the Sanctuary Lake Golf Management, LLC located at 1450 East South Boulevard in Troy, Michigan has revealed no liquor violations have occurred at that location. The investigation has not revealed any other significant incidents or investigations.
- Licensee Applicant Peter Michael Hill (5/27/53), who resides at 11675 Gilman Lane, Herndon, Virginia, 20170 has:
 - A valid State of Virginia Driver's License.
 - A clear Criminal History based on the information received from Fairfax County, Virginia.

- o No notable police contacts based on the information received from Fairfax County, Virginia.

March 7, 2011

Ms. Susan M. Lancaster, Esq.
City of Troy
500 W. Big Beaver
Troy, MI 48084

Re: Sanctuary Lake Golf Management
Location: 1450 E. South Street, Troy, MI 48085

Dear Ms. Lancaster:

At the request of the Michigan Liquor Control Commission, we hereby agree that the Agreement for food and beverage service at Sanctuary Lake Golf Course between the City of Troy and Sanctuary Lake Golf Management, LLC, and dated June 7, 2010, (the "Agreement") is clarified as follows:

1. It is understood that Paragraph 3, titled, Group Golf Packages, shall mean that only Sanctuary Lake Golf Management, LLC will receive payment for food and alcoholic beverages on Group Golf Packages.

2. It is further understood that, following payment of the percentages of gross revenue to the City as required in Paragraph 1 of the Agreement, Sanctuary Lake Golf Management, LLC will receive all of the profits from the food and beverage operation at Sanctuary Lake Golf Course.

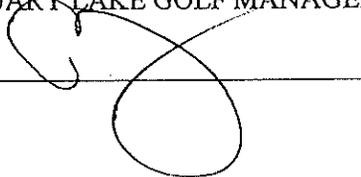
3. As it relates to the Rules and Regulations of the Michigan Liquor Control Commission, it is also understood, that Sanctuary Lake Golf Management, LLC shall be responsible for the conduct of all of the employees at the Sanctuary Lake Golf Course, including, but not limited to, the City's employees at the golf course .

Would you please have the City acknowledge its agreement to this letter of understanding by the City Manager's execution of a copy of this letter and return the same to this writer.

Thank you for your assistance and cooperation.

Very truly yours,

SANCTUARY LAKE GOLF MANAGEMENT, LLC

By: 

The City hereby agrees to this understanding on the above Agreement:

By: _____

Philip Nelson

Its: City Manager

11-1030

March 7, 2011

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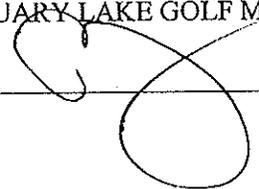
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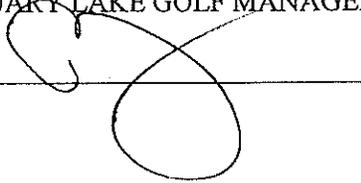
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