LIQUOR ADVISORY COMMITTEE MINUTES – FINAL FEBRUARY 13, 2012

A regular meeting of the Liquor Advisory Committee was held on Monday, February 13, 2012 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 6:56 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
W. Stan Godlewski
Patrick C. Hall
Andrew Kaltsounis
David S. Ogg
Timothy P. Payne
Bohdan L. Ukrainec

ALSO PRESENT: Sergeant George Zielinski
Susan Lancaster, Assistant City Attorney
Jesse Pappas, Student Representative
EunJoo Scherlinck, Student Representative
Pat Gladysz

Resolution to Approve Minutes of January 9, 2012 Meeting

Resolution #LC2012-02-004
Moved by Hall
Seconded by Ukrainec

RESOLVED, That the Minutes of the January 9, 2012 meeting of the Liquor Advisory Committee be **APPROVED**.

Yes: 7
No: 0
Absent: 0

Agenda Items

1. **Marty Martin Enterprises, Inc.** requests to transfer ownership of escrowed 2010 Class C and SDM licensed business with Dance-Entertainment Permit, Food Permit, and 3 Bars Permit from United Bank and Trust; transfer location and governmental unit (MCL 436.1531(1) from 25750 Novi, Suite 104, Novi, MI 48375, Oakland County, to 3651 Rochester Road, Troy, MI 48083, Oakland County {MLCC Req. #625705}. *This is the El Charro Restaurant.*

Present to answer questions from the Committee were attorney Frank Palazzolo and shareholders Donna Martin and Jeff Martin.

Mr. Palazzolo advised the Committee that this is a family-owned business with three other locations In Fraser, Macomb, and St. Clair Shores. Since the business started in 1971, they have received only one sale-to-minor violation. The 3,500 square foot Troy facility seats approximately 90 people. Current management has liquor experience and all employees will be trained on February 23, 2012. There is a drive-up window, but no alcohol sales will be allowed at the window.

Mr. Palazzolo also stated that the Martin family was not interested in the SDM license, the dance-entertainment permit, and the three bars permit.

Sergeant Zielinski stated that the Police Department had nothing to report. The Fire Department inspection approval is still pending.

Resolution #LC2012-02-005
Moved by Ukrainec
Seconded by Hall

RESOLVED, That the Liquor Advisory Committee recommends that the request of Marty Martin Enterprises, Inc. to transfer ownership of escrowed 2010 Class C License, Food Permit and Sunday Sales Permit, excluding the SDM licensed business, Dance-Entertainment Permit, and three Bars Permit from United Bank and Trust; transfer location and governmental unit (MCL 436.1531(1) from 25750 Novi, Suite 104, Novi, MI 48375, Oakland County, to 3651 Rochester Road, Troy, MI 48083, Oakland County be **APPROVED**.

Yes:	7
No:	0
Absent:	0

Assistant City Attorney Susan Lancaster informed the Committee that the Michigan Liquor Control Commission issued orders for each of the Smoker's Express violations with graduated penalties. The first violation resulted in a fine and the final violation resulted in the liquor license being revoked for five (5) business days beginning March 9, 2012. The business owner has been ordered by our District Court judge to spend five (5) days in the Oakland County Jail. This sentence must be served sometime within the next 60 days. He was also fined $2,000 and received a two-year probation.

Mr. Hall questioned Ms. Lancaster about the City's efforts to revoke the liquor license from Smoker's Express. She replied that the Revocation Hearing will be scheduled and the City Attorney will attend.

Ms. Lancaster also advised the Committee that they could recommend to City Council that the City Attorney's Office research the possibility of establishing an Ordinance that will restrict the delivery of beer and wine in Troy. There was a brief discussion on this matter.

The meeting adjourned at 7:25 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Secretary II