A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, February 22, 2016, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 6:00 PM.

B. ROLL CALL:

a) Mayor Dane Slater
Edna Abrahim
Ethan Baker
Jim Campbell
Dave Henderson
Ellen Hodorek
Ed Pennington

C. PUBLIC HEARINGS:

C-1 Liquor Violations (Class C; Class C Resort and Hotel B):

a) 2Booli, Inc. (dba: 2Booli):

The Mayor opened the Public Hearing. Assistant City Attorney Julie Dufrane presented the facts of the case.
The Mayor closed the Public Hearing after receiving comments from the Licensee, Nancy Morrison of the Troy Community Coalition and Mike Kerr.

Resolution #2016-02-023
Moved by Henderson
Seconded by Baker

WHEREAS, The City of Troy scheduled a hearing, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name: 2Booli, Inc. (dba: 2Booli)
Address: 854 E. Big Beaver Rd., Troy, MI 48083
License No: Class C (211605-2015) SDM (211606-2015)
Violation: SALE TO MINOR (Compliance Test) on February 20, 2015; and,

WHEREAS, After due notice the licensee was given the opportunity to review this cited infraction, and an opportunity to confront witnesses and/or statements of accusers while in the presence of this City Council, sitting as a hearing body on Monday, February 22, 2016;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council **HAS BEEN PERSUADED** that the alleged violation did occur, as set forth above.

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **RECOMMENDS** renewal

of the on-premises liquor license for the license year beginning May 1, 2016, with the **STIPULATION** that all serving employees successfully complete a server training program, as defined under State Law (MCL 436.1906) within 90 days of today's date, and that immediately upon completion, licensee shall submit proof of the successful completion of the server training program to the Troy Police Department.

BE IT FURTHER RESOLVED, That if the licensee fails to comply with this condition within 120 days, then licensee **SHALL APPEAR** before the Troy City Council after due notice, and that the licensee's failure to comply with the server training condition could serve as a basis for the Troy City Council to take adverse action against the licensee's liquor license.

BE IT FINALLY RESOLVED, That a certified copy of this resolution **SHALL BE SENT** to the Michigan Liquor Control Commission.

Yes: All-7
No: None

MOTION CARRIED

b) Maggiano's Holding Corp. (dba: Maggiano's Little Italy):

The Mayor opened the Public Hearing. Assistant City Attorney Julie Dufrane presented the facts of the case.
The Mayor closed the Public Hearing after receiving comments from the Licensee.

Resolution #2016-02-024
Moved by Hodorek
Seconded by Pennington

WHEREAS, The City of Troy scheduled a hearing, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name: Maggiano's Holding Corp. (dba: Maggiano's Little Italy)
Address: 2089 W. Big Beaver Rd., Troy, MI 48084
License No: Class C (130954-2015) SDM (130955-2015)
Violation: SALE TO MINOR (Compliance Test) on February 25, 2015; and,

WHEREAS, After due notice the licensee was given the opportunity to review this cited infraction, and an opportunity to confront witnesses and/or statements of accusers while in the presence of this City Council, sitting as a hearing body on Monday, February 22, 2016;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council **HAS BEEN PERSUADED** that the alleged violation did occur, as set forth above.

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **RECOMMENDS** renewal of the on-premises liquor license for the license year beginning May 1, 2016, with the **STIPULATION** that all serving employees successfully complete a server training program, as

defined under State Law (MCL 436.1906) within 90 days of today's date, and that immediately upon completion, licensee shall submit proof of the successful completion of the server training program to the Troy Police Department.

BE IT FURTHER RESOLVED, That if the licensee fails to comply with this condition within 120 days, then licensee **SHALL APPEAR** before the Troy City Council after due notice, and that the licensee's failure to comply with the server training condition could serve as a basis for the Troy City Council to take adverse action against the licensee's liquor license.

BE IT FINALLY RESOLVED, That a certified copy of this resolution **SHALL BE SENT** to the Michigan Liquor Control Commission.

Yes: All-7
No: None

MOTION CARRIED

c) Central Florida Restaurants Inc. (dba: TGI Friday's):

The Mayor opened the Public Hearing. Assistant City Attorney Julie Dufrane presented the facts of the case.
The Mayor closed the Public Hearing after receiving comments from the Licensee.

Resolution #2016-02-025
Moved by Abrahim
Seconded by Baker

WHEREAS, The City of Troy scheduled a hearing, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name: Central Florida Restaurants Inc. (dba: TGI Friday's)
Address: 591 W. Big Beaver Rd., Troy, MI 48084
License No: Class C (251948-2015)
Violation: SALE TO MINOR (Compliance Test) on November 24, 2015; and,

WHEREAS, After due notice the licensee was given the opportunity to review this cited infraction, and an opportunity to confront witnesses and/or statements of accusers while in the presence of this City Council, sitting as a hearing body on Monday, February 22, 2016;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council **HAS BEEN PERSUADED** that the alleged violation did occur, as set forth above.

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **RECOMMENDS** renewal of the on-premises liquor license for the license year beginning May 1, 2016, with the **STIPULATION** that all serving employees successfully complete a server training program, as defined under State Law (MCL 436.1906) within 90 days of today's date, and that immediately

upon completion, licensee shall submit proof of the successful completion of the server training program to the Troy Police Department.

BE IT FURTHER RESOLVED, That if the licensee fails to comply with this condition within 120 days, then licensee **SHALL APPEAR** before the Troy City Council after due notice, and that the licensee's failure to comply with the server training condition could serve as a basis for the Troy City Council to take adverse action against the licensee's liquor license.

BE IT FINALLY RESOLVED, That a certified copy of this resolution **SHALL BE SENT** to the Michigan Liquor Control Commission.

Yes: All-7
No: None

MOTION CARRIED

d) H Mart Troy, LLC (dba: H Mart):

The Mayor opened the Public Hearing. Assistant City Attorney Julie Dufrane presented the facts of the case.
The Mayor closed the Public Hearing after receiving comments from the Licensee and from the Owner of the shopping plaza.

Resolution #2016-02-026
Moved by Pennington
Seconded by Slater

WHEREAS, The City of Troy scheduled a hearing, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name: H Mart Troy, LLC (dba: H Mart)
Address: 2963 E. Big Beaver Rd., Troy, MI 48083
License No: SDM (224253-2015)
Violation: ALLEGED INTOXICATED EMPLOYEE on January 7, 2015; and,

WHEREAS, After due notice the licensee was given the opportunity to review this cited infraction, and an opportunity to confront witnesses and/or statements of accusers while in the presence of this City Council, sitting as a hearing body on Monday, February 22, 2016;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council **HAS BEEN PERSUADED** that the alleged violation did occur, as set forth above.

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **RECOMMENDS** renewal of the off-premises liquor license for the license year beginning May 1, 2016, with the **STIPULATION** that all employees successfully complete a server training program, as defined under State Law (MCL 436.1906) within 90 days of today's date, and that immediately upon

completion, licensee shall submit proof of the successful completion of the server training program to the Troy Police Department.

BE IT FURTHER RESOLVED, That if the licensee fails to comply with this condition within 120 days, then licensee **SHALL APPEAR** before the Troy City Council after due notice, and that the licensee's failure to comply with the server training condition could serve as a basis for the Troy City Council to take adverse action against the licensee's liquor license.

BE IT FINALLY RESOLVED, That a certified copy of this resolution **SHALL BE SENT** to the Michigan Liquor Control Commission.

Yes: All-7
No: None

MOTION CARRIED

e) American Polish Cultural Center:

The Mayor opened the Public Hearing. Assistant City Attorney Julie Dufrane presented the facts of the case.
The Mayor closed the Public Hearing after receiving comments from the Licensee.

Resolution #2016-02-027
Moved by Henderson
Seconded by Campbell

WHEREAS, The City of Troy scheduled a hearing, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name: American Polish Cultural Center
Address: 2975 E. Maple Rd., Troy, MI 48083
License No: Class C Resort (40765-2015)
Violation: SALE TO MINOR (Compliance Test) on February 20, 2015; and,

WHEREAS, After due notice the licensee was given the opportunity to review this cited infraction, and an opportunity to confront witnesses and/or statements of accusers while in the presence of this City Council, sitting as a hearing body on Monday, February 22, 2016;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council **HAS BEEN PERSUADED** that the alleged violation did occur, as set forth above.

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **RECOMMENDS** renewal of the on-premises liquor license for the license year beginning May 1, 2016, with the **STIPULATION** that all serving employees successfully complete a server training program, as defined under State Law (MCL 436.1906) within 90 days of today's date, and that immediately upon completion, licensee shall submit proof of the successful completion of the server training program to the Troy Police Department.

BE IT FURTHER RESOLVED, That if the licensee fails to comply with this condition within 120 days, then licensee **SHALL APPEAR** before the Troy City Council after due notice, and that the licensee's failure to comply with the server training condition could serve as a basis for the Troy City Council to take adverse action against the licensee's liquor license.

BE IT FINALLY RESOLVED, That a certified copy of this resolution **SHALL BE SENT** to the Michigan Liquor Control Commission.

Yes: All-7
No: None

MOTION CARRIED

f) Mar-Bill, Inc. (dba: Parrot Cove Yacht Club):

The Mayor opened the Public Hearing. Assistant City Attorney Julie Dufrane presented the facts of the case.
The Mayor closed the Public Hearing after receiving comments from the Licensee

Resolution #2016-02-028
Moved by Pennington
Seconded by Henderson

WHEREAS, The City of Troy scheduled a hearing, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name: Mar-Bill, Inc. (dba: Parrot Cove Yacht Club)
Address: 33475 Dequindre, Troy, MI 48083
License No: Class C (2592-2015) SDM (10346-2015)
Violation: SALE TO MINOR (Compliance Test) on February 20, 2015; and,

WHEREAS, After due notice the licensee was given the opportunity to review this cited infraction, and an opportunity to confront witnesses and/or statements of accusers while in the presence of this City Council, sitting as a hearing body on Monday, February 22, 2016;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council **HAS BEEN PERSUADED** that the alleged violation did occur, as set forth above.

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **RECOMMENDS** renewal of the on-premises liquor license for the license year beginning May 1, 2016, with the **STIPULATION** that all serving employees successfully complete a server training program, as defined under State Law (MCL 436.1906) within 90 days of today's date, and that immediately upon completion, licensee shall submit proof of the successful completion of the server training program to the Troy Police Department.

BE IT FURTHER RESOLVED, That if the licensee fails to comply with this condition within 120 days, then licensee **SHALL APPEAR** before the Troy City Council after due notice, and that the licensee's failure to comply with the server training condition could serve as a basis for the Troy City Council to take adverse action against the licensee's liquor license.

BE IT FINALLY RESOLVED, That a certified copy of this resolution **SHALL BE SENT** to the Michigan Liquor Control Commission.

Yes: All-7
No: None

MOTION CARRIED

g) A & S Babi, Inc. (dba: John's Party Store):

The Mayor opened the Public Hearing. Assistant City Attorney Julie Dufrane presented the facts of the case.

Resolution #2016-02-029
Moved by Slater
Seconded by Henderson

WHEREAS, The City of Troy scheduled a hearing, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name: A & S Babi, Inc. (dba: John's Party Store)
Address: 4009 Livernois, Troy, MI 48098
License No: SDD (12780-2015) SDM (19705-2015)
Violation: SALE TO MINOR (Compliance Test) on February 20, 2015; and,

WHEREAS, After due notice the licensee asked for an adjournment of the public hearing because the licensee will be out of the country;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council **POSTPONES** this public hearing to the Regular City Council Liquor Violation Hearings Meeting on March 14, 2016 at 6:00 p.m.

Yes: All-7
No: None

MOTION CARRIED

h) Mr. Pizza, Inc. (dba: Mr. Pizza Bootleg Party Store):

The Mayor opened the Public Hearing. Assistant City Attorney Julie Dufrane presented the facts of the case.

Resolution #2016-02-030

Moved by Slater
Seconded by Pennington

WHEREAS, The City of Troy scheduled a hearing, as allowed under State Law and the City of Troy Ordinances, Chapter 101, and also the Liquor License Agreement between the licensee and the City, to review the following alleged violation:

Name:	Mr. Pizza, Inc. (dba: Mr. Pizza Bootleg Party Store)
Address:	4973 Livernois, Troy, MI 48098
License No:	SDD (13197-2015) SDM (12781-2015)
Violation:	SALE TO MINOR (Compliance Test) on February 20, 2015; and,

WHEREAS, After due notice the licensee asked for an adjournment of the public hearing because the licensee will be unavailable;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council **POSTPONES** this public hearing to the Regular City Council Liquor Violation Hearings Meeting on March 14, 2016 at 6:00 p.m.

Yes: All-7
No: None

MOTION CARRIED

D. PUBLIC COMMENT: No Public Comment

E. ADJOURNMENT:

The Meeting **ADJOURNED** at 7:16 PM.

Mayor Dane Slater

M. Aileen Dickson, MMC
City Clerk