



**REGULAR MEETING
OF
TROY CITY COUNCIL
LIQUOR VIOLATION HEARINGS**

**MARCH 14, 2016
CONVENING AT 6:00 P.M.**

**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@troymt.gov at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.



500 W. Big Beaver
Troy, MI 48084
248.524.3300
troymi.gov

The Honorable Mayor and City Council Members

City of Troy
500 West Big Beaver
Troy, MI 48084

Dear Mayor and City Council Members:

In this packet, you will find the agenda for the City Council meeting. To help facilitate an informed discussion, the packet provides you with agenda items and additional details. The packet also contains recommended courses of action for your consideration and seeks to aid you in adopting sound policy decisions for the City of Troy.

This comprehensive agenda has been put together through the collaborative efforts of management and staff members. We have made all attempts to obtain accurate supporting information. It is the result of many meetings and much deliberation, and I would like to thank the staff for their efforts.

If you need any further information, staff is always available to provide more information and answer questions that may arise. You can contact me at bkischnick@troymi.gov or 989.233.7335 with questions.

Respectfully,

A handwritten signature in black ink that reads "B. K. L. K.", representing Brian Kischnick.

Brian Kischnick,
City Manager

2015/2016

TOP 10 STRATEGIES

Adopted by City Council 3/9/2015

'Why'

We believe a strong community embraces diversity, promotes innovation, and encourages collaboration. We strive to lead by example within the region. We do this because we want everyone to choose Troy as their community for life. We believe in doing government the best.

1

Improve and invest in our assets, both people and infrastructure

Define our organizational culture

2

3

Consistently tell our story

Create a sense of place

4

5

Embrace a sustainable Library

Implement a Trails and Pathways Plan and increase walkability

6

7

Maintain strong Public Safety

Improve interaction online and in-person

8

9

Modernize wayfinding opportunities

Celebrate diversity

10



CITY COUNCIL AGENDA

March 14, 2016 – 6:00 PM
 Council Chambers
 City Hall - 500 West Big Beaver
 Troy, Michigan 48084
 (248) 524-3317

A. CALL TO ORDER: 1

B. ROLL CALL: 1

OUTLINE OF PUBLIC HEARING PROCEDURE: 1

C. PUBLIC HEARINGS: 3

- C-1 Liquor Violations: 3
 - a) A & S Babi, Inc. (dba: John’s Party Store):..... 3
 - b) Mr. Pizza, Inc. (dba: Mr. Pizza Bootleg Party Store):..... 4
 - c) Dhammamegha, Inc. (dba: Priya):..... 5
 - d) JJWM, LLC (dba: Café Sushi):..... 6
 - e) California Pizza Kitchen, Inc. (dba: California Pizza Kitchen):..... 7
 - f) Babylon Restaurant Group, Inc. (dba: The Melting Pot):..... 8
 - g) Mon Jin Lau, Inc. (dba: Mon Jin Lau): 9
 - h) Somerset Inn Limited Partnership (dba: Somerset Inn): 10
 - i) Target Corp. (dba: Target):..... 11

D. PUBLIC COMMENT: 12

E. ADJOURNMENT: 13

2016 SCHEDULED SPECIAL CITY COUNCIL MEETINGS: 14

- April 18, 2016 Joint Meeting–Troy City Council/Troy Planning Commission 14
- April 21, 2016 Special Study Session – Budget Discussions 14
- April 25, 2016 Special Study Session – Budget Discussions 14
- July 11, 2016 Joint Meeting–Troy City Council/Troy Chamber 14
- August 8, 2016 Joint Meeting–Troy City Council/Troy School Board 14
- October 24, 2016 Joint Meeting–Troy City Council/Troy Planning Commission ... 14

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A. CALL TO ORDER:**B. ROLL CALL:**

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

OUTLINE OF PUBLIC HEARING PROCEDURE:

Under state law and under Troy's Ordinance, Chapter 101, City Council is given the authority to take adverse action against a liquor licensee in the City that has committed a violation of local or state laws. However, prior to any adverse action, the licensee is entitled to a due process hearing to challenge the charged violation.

If a licensee admits that there was a violation of state or local laws during the preceding year, then there is no need to take testimony from witnesses. The recommended procedure for these cases is as follows:

1. The Mayor opens the public hearing by specifying the name of the individual liquor licensee, and invites the licensee to the front of the Chamber to acknowledge their presence for the record. An attorney may represent the licensee.
2. The Assistant City Attorney makes a very short statement regarding the particulars of the violation and answers any questions from City Council members. The Assistant City Attorney or Police Department representative will also be able to provide information about past violations for the licensee.
3. The licensee is then given an opportunity to acknowledge the violation, and to offer any mitigating circumstances and describe any steps that have been taken to protect against future liquor law violations. City Council members may then ask the licensee questions.
4. Council will then have the opportunity to make any further inquiries or hear a rebuttal from City Administration. The Mayor can then ask for any public comment, after which the public hearing shall be closed.
5. Council then has the opportunity to present a resolution, which can be discussed and deliberated and voted upon. For the on-premises licensees, when City Council determines that the circumstances warrant it, Council could pass a resolution that objects to the automatic liquor license renewal, which would require the license to be placed in escrow for the upcoming license year. For off premises liquor licenses, if City Council has determined that the licensee has had three sales to minors within the year, then Council could pass a resolution requesting revocation of the liquor license.

If a licensee desires to challenge that there was a liquor license violation, then the following procedure is recommended for the due process hearing for these licensees:

1. The Mayor opens the public hearing by specifying the name of the individual liquor licensee, and invites the licensee to the front of the Chamber to acknowledge their presence for the record. An attorney may represent the licensee.
2. The Assistant City Attorney makes a very short statement regarding the particulars of the violation and answers any questions from City Council members.
3. The licensee is then given an opportunity to make a statement, but is not required to do so.
4. The Assistant City Attorney would then call witnesses. The City Clerk would swear in each of the witnesses as they are called. The Assistant City Attorney would then ask the witness questions about the alleged violations of law. The Assistant City Attorney will also ask for the introduction of documents into the case, which should be kept by the City Clerk as part of the official record, including but not limited to the police report and any report submitted to the Michigan Liquor Control Commission. Afterwards, the Attorney representing the licensee would have the opportunity to ask the witness questions about the alleged violations of the law. The Assistant City Attorney would then have the opportunity to ask any follow up questions. This process would continue for each witness called by the Assistant City Attorney. The Public Hearing does not require strict adherence to the Michigan Rules of Evidence, and City Council is provided with latitude to make evidentiary and procedural rulings.
5. Once the Assistant City Attorney has presented its proofs concerning the alleged violation(s) of law, then the Attorney representing the licensee will have the opportunity to provide the licensee's statement of the case and any defenses. The Attorney representing the licensee would then have the opportunity to call witnesses for questioning. Each of the licensee's witnesses shall also be sworn in by the Clerk. At the conclusion of the questioning, the Assistant City Attorney shall have the opportunity to question the witness, and the licensee can ask any rebuttal questions.
6. At the conclusion of the testimony of the licensee's witnesses, the Assistant City Attorney is given the opportunity to offer a closing argument. The licensee then has the ability to offer his/her own closing argument, which can be followed by a rebuttal argument from the Assistant City Attorney. The Mayor can then ask for any public comment, after which the public hearing shall be closed.
7. After the public hearing is closed, City Council then must make a determination as to whether, based on the evidence presented, it is more likely than not that there was a violation of state or local law at the licensed establishment.
8. If Council is not satisfied that there was sufficient proof of a violation, then City Council shall declare this finding in a resolution, and the licensee will be excused with no further action.
9. If Council is satisfied that there was sufficient proof of a violation, then City Council can provide the licensee with the opportunity to offer any mitigating circumstances and describe any steps that have been taken to protect against future liquor law violations. City Council members may then ask the licensee questions. Council will then have the opportunity to make any further inquiries or hear a rebuttal from City Administration. Council then has the opportunity to present a resolution, which can be discussed and deliberated and voted upon. For the on-premises licensees, when warranted, City Council has the option to pass a resolution that objects to the automatic liquor license renewal, which would require the license to be placed in escrow for the upcoming license year.

C. PUBLIC HEARINGS:

C-1 Liquor Violations:

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

Suggested Resolution

Resolution #2016-03-

Moved by

Seconded by

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 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 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:

No:

b) Mr. Pizza, Inc. (dba: Mr. Pizza Bootleg Party Store):Suggested Resolution

Resolution #2016-03-

Moved by

Seconded by

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 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 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:

No:

c) Dhammamegha, Inc. (dba: Priya):

Suggested Resolution

Resolution #2016-03-

Moved by

Seconded by

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: Dhammamegha, Inc. (dba: Priya)
- Address: 72 W. Maple Rd., Troy, MI 48084
- License No: Class C Resort (176987-2015)
- 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, March 14, 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:

No:

d) JJWM, LLC (dba: Café Sushi):Suggested Resolution

Resolution #2016-03-

Moved by

Seconded by

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: JJWM, LLC (dba: Café Sushi)
Address: 1933 W. Maple Rd., Troy, MI 48084
License No: Class C (199619-2015) SDM (239982-2015)
Violation: SALE TO MINOR (Compliance Test) on November 17, 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, March 14, 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:

No:

e) California Pizza Kitchen, Inc. (dba: California Pizza Kitchen):

Suggested Resolution

Resolution #2016-03-

Moved by

Seconded by

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: California Pizza Kitchen, Inc. (dba: California Pizza Kitchen)
- Address: 2800 W. Big Beaver Rd., Space N 126, Troy, MI 48084
- License No: Class C Resort (211742-2015)
- 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, March 14, 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.

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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:

No:

f) **Babylon Restaurant Group, Inc. (dba: The Melting Pot):**Suggested Resolution

Resolution #2016-03-

Moved by

Seconded by

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: Babylon Restaurant Group, Inc. (dba: The Melting Pot)
Address: 888 W. Big Beaver Rd., Troy, MI 48084
License No: Class C (132488-2015) SDM (132489-2015)
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, March 14, 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.

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

Yes:

No:

g) Mon Jin Lau, Inc. (dba: Mon Jin Lau):

Suggested Resolution

Resolution #2016-03-

Moved by

Seconded by

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: Mon Jin Lau, Inc. (dba: Mon Jin Lau)
- Address: 1515 E. Maple Rd., Troy, MI 48083
- License No: Class C (353-2015)
- 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, March 14, 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.

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

Yes:

No:

h) Somerset Inn Limited Partnership (dba: Somerset Inn):Suggested Resolution

Resolution #2016-03-

Moved by

Seconded by

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: Somerset Inn Limited Partnership (dba: Somerset Inn)
Address: 2601 W. Big Beaver Rd., Troy, MI 48084
License No: Class B Hotel (30836-2015) SDM (2133-2015)
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, March 14, 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.

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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:

No:

i) Target Corp. (dba: Target):

Suggested Resolution

Resolution #2016-03-

Moved by

Seconded by

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: Target Corp. (dba: Target)
- Address: 1301 Coolidge Hwy., Troy, MI 48084
- License No: SDM (198457-2015)
- 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, March 14, 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.

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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:

No:

D. PUBLIC COMMENT:**In accordance with the Rules of Procedure for the City Council, Article 17 – 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 three (3) minutes to address any Public Hearing item.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes total to address Postponed, Regular Business, Consent Agenda or Study items or any other item on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items On the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any Troy resident or Troy business representative, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any topic not on the Agenda as permitted under the Open Meetings Act during the *Public Comment for Items Not on the Agenda from Troy Residents and Businesses* portion of the Agenda.
- Any member of the public who is not a Troy resident or Troy business representative shall be allowed to speak for up to three (3) minutes to address any topic on or not on the Agenda as permitted under the Open Meetings Act during the *Comments for Items On or Not On the Agenda from Members of the Public Outside of Troy (Not Residents of Troy and Not From Troy Businesses)* portion of the Agenda.

- All members of the public who wish to address the Council at a meeting shall be allowed to speak only if they have signed up to speak within thirty minutes before or within fifteen minutes after the meeting's start time. Signing up to speak requires each speaker provide his or her name and residency status (Troy resident, non-resident, or Troy business owner). If the speaker is addressing an Item (or Items) that appear on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.
- City Council may waive the requirements of this section by a majority vote of the City Council members.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a Special meeting for that specific purpose.

The following has been approved by Troy City Council as a statement of the rules of decorum for City Council meetings. The Mayor will also provide a verbal notification of these rules prior to Public Comment:

The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Anyone who wishes to address the Council is required to sign up to speak within thirty minutes before or within fifteen minutes of the start of the meeting. There are three Public Comment portions of the Agenda. For Items On the Agenda,

Troy Residents and Business Owners can sign up to address Postponed, Regular Business, Consent Agenda, or Study items or any other item on the Agenda. Troy Residents and Business Owners can sign up to address all other topics under Items Not on the Agenda. All Speakers who do not live in Troy or own a Troy business may sign up to speak during the Comments on Items On and Not On the Agenda from Members of the Public Outside of Troy. Also, there is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up. In order to make the meeting more orderly and out of respect, please do not clap during the meeting, and please do not use expletives or make derogatory or disparaging comments about any one person or group. If you do so, then there may be immediate consequences, including having the microphone turned off, being asked to leave the meeting, and/or the deletion of speaker comments for any re-broadcast of the meeting. Speakers should also be careful to avoid saying anything that would subject them to civil liability, such as slander and defamation.

Please avoid these consequences and voluntarily assist us in maintaining the decorum befitting this great City.

E. ADJOURNMENT:

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Kischnick".

Brian Kischnick, City Manager

2016 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

April 18, 2016 Joint Meeting–Troy City Council/Troy Planning Commission
April 21, 2016 Special Study Session – Budget Discussions
April 25, 2016 Special Study Session – Budget Discussions
July 11, 2016 Joint Meeting–Troy City Council/Troy Chamber
August 8, 2016 Joint Meeting–Troy City Council/Troy School Board
October 24, 2016..... Joint Meeting–Troy City Council/Troy Planning Commission

2016 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

March 14, 2016 Regular Meeting
March 21, 2016 Regular Meeting
April 4, 2016 Regular Meeting
April 18, 2016 Regular Meeting
May 9, 2016..... Regular Meeting
May 23, 2016..... Regular Meeting
June 13, 2016 Regular Meeting
June 27, 2016 Regular Meeting
July 11, 2016 Regular Meeting
July 25, 2016 Regular Meeting
August 8, 2016 Regular Meeting
August 22, 2016 Regular Meeting
September 19, 2016..... Regular Meeting
September 26, 2016..... Regular Meeting
October 10, 2016..... Regular Meeting
October 24, 2016..... Regular Meeting
November 14, 2016..... Regular Meeting
November 21, 2016..... Regular Meeting
December 5, 2016..... Regular Meeting
December 19, 2016..... Regular Meeting



MEMORANDUM

TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LG*
Julie Quinlan Dufrane, Assistant City Attorney *JQ*
DATE: March 4, 2016
SUBJECT: Liquor Violation Hearing – A&S Babi, Inc. d/b/a John's Party Store

As you may recall, the public hearing concerning John's Party Store was postponed from the February 19, 2016 hearing date because the licensee was not available. The public hearing was opened, but it was not closed so that the licensee and his attorney may have an opportunity to address the violation before council.

On February 20, 2015, the Troy Police Department conducted underage decoy inspections for liquor licensed establishments in the City of Troy. The team went to John's Party Store located at 4009 Livernois where an underage minor decoy was sold a six-pack of beer. The person who sold the beer to the minor pled responsible to the charge of *furnishing, sale to person under 21*, and was fined \$100 on March 4, 2015. A copy of the reports documenting the alleged violation is attached to this memo as well as a copy of the licensee's history.

John's Party Store has SDD and SDM liquor licenses which means alcohol is sold to patrons for consumption off the premises. Under Michigan law, a local unit of government may request, by resolution, that the MLCC revoke the license of an off-premises licensee if the licensee has sold or furnished alcohol to a minor on at least three separate occasions in a consecutive twelve month period. A liquor license violation, such as the sale of alcohol to a minor, could serve as a basis for objecting to the automatic renewal of the liquor license if there are three or more such violations in a consecutive twelve month period, as the possession of SDD and SDM liquor licenses is a privilege. Prior to taking any adverse action, the licensee is entitled to a due process hearing which provides the licensee an opportunity to challenge the violation and allows the licensee to come forward with any proactive measures it has taken to guard against future liquor license violations. In the due process hearing, the City has the obligation to prove that there was a violation. The liquor violation hearing is scheduled in advance, with notice sent by mail to the licensee.

It should be noted that the licensee acknowledged the violation, and the Michigan Liquor Control Commission (MLCC) imposed a \$500 fine. The subject violation is the only one for John's Party Store in the calendar year 2015.

Please let us know if you have any questions.



MEMORANDUM

TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LEB*
Julie Quinlan Dufrane, Assistant City Attorney *JRD*
DATE: February 19, 2016
SUBJECT: Liquor Violation Hearing – A&S Babi, Inc. d/b/a John's Party Store

On February 20, 2015, the Troy Police Department conducted underage decoy inspections for liquor licensed establishments in the City of Troy. The team went to John's Party Store located at 4009 Livernois where an underage minor decoy was sold a six-pack of beer. The person who sold the beer to the minor pled responsible to the charge of *furnishing, sale to person under 21*, and was fined \$100 on March 4, 2015. A copy of the reports documenting the alleged violation is attached to this memo as well as a copy of the licensee's history.

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It should be noted that the licensee acknowledged the violation, and the Michigan Liquor Control Commission (MLCC) imposed a \$500 fine. The subject violation is the only one for John's Party Store in the calendar year 2015.

The licensee for John's Party Store contacted the City Attorney's office seeking an adjournment of the scheduled public hearing. Due to the notices having already been sent to interested persons in the area, it was not possible to adjourn the public hearing in advance. The public hearing should be opened and if there are members of the public with a desire to comment on the allegations, they should be given an opportunity to speak. Instead of closing the public hearing, Council may want to move to then postpone the item until March 14, 2016 at 6:00 pm to provide the licensee an opportunity to address Council.

Please let us know if you have any questions.



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive - P.O. Box 30005
 Lansing, Michigan 48909-7505
 Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
 (Authorized by P.A.58 of 1998)

This report is not to be faxed or electronically submitted - an original signature is required.

*** OFFICERS please obtain License No., Bus. ID and File # directly from the liquor license ***

License Number	12780-2014 and 19705-2014	Business ID	10207	File Number	D64909/D13
Name of Licensee	A & S BABI, INC.		Doing Business As JOHN'S PARTY STORE		
Mailing Address (street, city, zip code)	4009 Livernois; Troy, Michigan 48098				
Township	County Oakland				
Type of License(s) & Permit(s)	SDD, SDM 05/01/14-04/30/15				
Date of violation:	Day Friday	Date	02/20/15	Time	1730

Violation Type: Minor Intoxicated Person Gambling Controlled Substances
 Prohibited Conduct Failure to Cooperate Fighting (must be inside licensed premises)
 After Hours Sales / Consumption Other (explain):

If MINOR: Birth date 05/05/96 Was this a DECOY? Yes No If No, you MUST answer below!
 If above minor violation was NOT a decoy, describe enforcement action taken:

NOTE! COPY OF APPEARANCE TICKET MUST BE ATTACHED.

Submit Report Below or Indicate Attached Report Number 15-5732

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature _____
 Officer Signature _____
 Officer Signature _____
 Officer Signature _____
 Department Name Troy Police Department

Name and Title Sergeant Nathan Gobler
 Name and Title Officer Victor Bordo
 Name and Title Officer Patrick McWilliams
 Name and Title Officer Gregory Stopczynski
 Telephone Number 248-524-3477

WITNESSES

- Name Decoy [REDACTED] Address 500 West Big Beaver Road, Troy MI 48084
 Will testify to: Minor who purchased alcohol
- Name Adel Babi Address 4 [REDACTED]
 Will testify to: Sold alcohol to minor
- Name Address
 Will testify to:
- Name Address
 Will testify to:
- Name Address
 Will testify to:

EVIDENCE

Location Held (Explain) Receipt and photo of six-pack of Bud Light Beer
 LC-600 Rev. 03/05 4880-2362

CR No: 150005732-001 	Report Type: Crime Report	Officer: TRBOROV (101240)	001
---	------------------------------	------------------------------	------------

TROY PD
500 W. BIG BEAVER
TROY MI 48084
248-524-3477



Case Report

Administrative Details:

CR No 150005732-001	Subject 4171 - Violation of Liquor Control Laws [41001]
Report Date/Time 02/20/2015 01:06	Occurrence Date/Time 02/20/2015 01:06
Location 4009 LIVERNOIS AVE	Call Source FIELD INITIATED
Dispatched Offense C3309 LIQUOR INSPECT	Verified Offense 4171 Violation of Liquor Control Laws
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol DPU	
Report Type Crime Report	
Created By VICTOR BORDO	Created Date/Time 02/20/2015 09:32 PM
Verified By SYSTEM	Verified Date/Time 02/24/2015 02:42 PM

CR No: 150005732-001 	Report Type: Crime Report	Officer: TRBORDOV (101240)	001
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Offenses:

4171 - Violation of Liquor Control Laws [TRBORDOV (101240)]			
IBR Code / IBR Group 90G - Liquor Law Violations / B	Offense File Class 41001 - LIQUOR LICENSE - ESTABLISHMENT		
Crime Against SO	Location Type 17 - Liquor Store	Offense Completed Completed	
Domestic Violence No	Hate/Bias 00 - None (No Bias)		
Using A-Alcohol: No C-Computer Equipment: No D-Drugs/Narcotics: No	Cargo Theft		

People:

DECOY (W-WITNESS) [TRBORDOV (101240)]

PE:	W.Type: EY	Last Name [REDACTED]	First Name Decoy	Middle Name	Suffix	Mr/Mrs/Ms
DOB (Age) /1996 (18)	Sex M	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
Street Address 500 W Blg Beaver Rd	Apt #	County	Country	Home Phone	Work Phone	
City Troy	State MI	Zip 48084	Cell Phone	Email		

BABI, ADEL (O-OTHER) [TRBORDOV (101240)]

PE:	W.Type:	Last Name Babi	First Name Adel	Middle Name	Suffix	Mr/Mrs/Ms
DOB (Age) .948 (67)	Sex M	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
Street Address [REDACTED]	Apt #	County	Country	Home Phone	Work Phone	
City Troy	State MI	Zip 48098	Cell Phone	Email		

Phone/Email	
Type	Description
BU-Business Phone #1	248 689-3712

Property:

1812 - Receipt 5448 [TRBORDOV (101240)]

Property Class 48	IBR Type 48 - Documents/Personal or Business	UCR Type K - Miscellaneous
Status E - Evidence (Including Other Seized Property And Tools)	Count 2	Value 1
Description Receipt, Photo	Disposition	Evidence Tag 150005732.001
Recovered Date/Time	Location	Owner II,

Narrative:

On February 20, 2015 the Directed Patrol Unit was conducting Liquor Control Commission

CR No: 150005732-001



Report Type:
Crime Report

Officer:
TRBORDOV (101240)

001

checks with minor decoy [redacted] his driver's license was stored inside of the Troy Police Department for the duration of this assignment.

At approximately 1730 [redacted] entered John's Party Store & Pizza located at 4009 Livernois and selected a six-pack of Bud Light beer. [redacted] went to the counter and paid the lone employee, later identified as Mr. Adel Babi, for the beer. Babi later informed me that he is the business owner. Babi did not ask for identification when [redacted] paid for the beer.

After [redacted] left the party store and turned the beer over to me, I contacted Babi and advised him of the violation. Babi was issued citation 15TR01846 for Furnishing, Sale To Persons Under 21 And/Or Failure To Inquire As To Age During Enforcement Action.

The \$7.99 beer receipt was tagged as evidence and placed into property. I took a photo of the beer, which was also tagged as evidence and placed into property. The beer was disposed of. The audio recording of the violation will be uploaded into CLEAR. I completed a violation report which will be forwarded to the Michigan Liquor Control Commission.

No further action was taken.

**State of Michigan
Uniform Law Citation**

Ticket No. **15TR01846** ** Victim Involved

US DOT # _____ Incident No. **15-5732** Dept. No. **6378400 (TR-TR**)**

The People of: the State of Michigan
 Township City Village County

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC _____ 1 of 1

THE UNDERSIGNED SAYS THAT ON: Month **02** Day **20** Year **15** At approximately **05:38** A.M. P.M. Date of Birth Month **11** Day _____ Year **48**

State **MI** Oper./Chauff. CDL Driver License Number _____ SSN (last 4 digits) _____

Race **W** Sex **M** Height **5' 05"** Weight **195** Hair _____ Eyes **BLU** Occupation/Employer _____

Name (First, Middle, Last) **ADEL BABI**

Street _____

City **TROY** State **MI** Zip Code **48098-6345**

Vehicle Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____ Veh. Type _____

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
 UPON **4009 LIVERNOIS**
 AT OR NEAR **WATTLES**
 WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
 COUNTY OF **OAKLAND** DID THE FOLLOWING

Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend. 9300556	FURNISHING, SALE TO PERSONS UNDER 21 AND/OR FAILURE TO INQUIRE AS TO AGE DURING ENFORCEMENT ACTION	1
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug. <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s)
 1 **98.10.14** 2 _____ 3 _____

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
 Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: **JOHNS PARTY STORE**

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate
 Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
 Appearance Date on or before **03/04/15 8:30AM**

Hearing Date (if applicable) on _____ Contact Court
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52ND DISTRICT COURT** Court of **TROY**
 Court Address & Phone Number **52ND DISTRICT COURT, 4TH DIVISION
 520 WEST BIG BEAVER ROAD
 (248) 528-0400 TROY, MI 48084**

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
 I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable
V. BORDO Month **02** Day **20** Year **15**

Officer's Name (printed) **V. BORDO** Officer's ID No. **104**

Agency ORI **MI- 6378400** Agency Name **TROY PD**

UC-01a Online payment Web site: <https://courts.oakgov.com/OakEtix/>
 (rev. 6/05) ** Revised: ci

Ticket
15TR01846
 Name
BABI, ADEL
 Case No.

CARMEN LIQUOR
(313) 371-2111

02/20/15 6:09PM 01
000000 #0020

BEER WINE T1 \$4.99
BTL DEPOSIT \$0.60
MDSE ST \$5.59
TAX1 \$0.30

***TOTAL \$5.89
CASH \$10.00
CHANGE \$4.11

LOTTO \$0.50
MDSE ST \$3.09
TAX1 \$0.16

CASH \$3.25
02/20/2015 5:30PM 0002

000000#7741
6PK BEER T1 \$6.97
BOTTLE DEPOSIT \$0.60
MDSE ST \$7.57
TAX1 \$0.42

CHARGE1 \$7.99
02/20/2015 5:31PM 0002

000000#7742
NO SALE
02/20/2015 5:33PM 0002
000000#7743

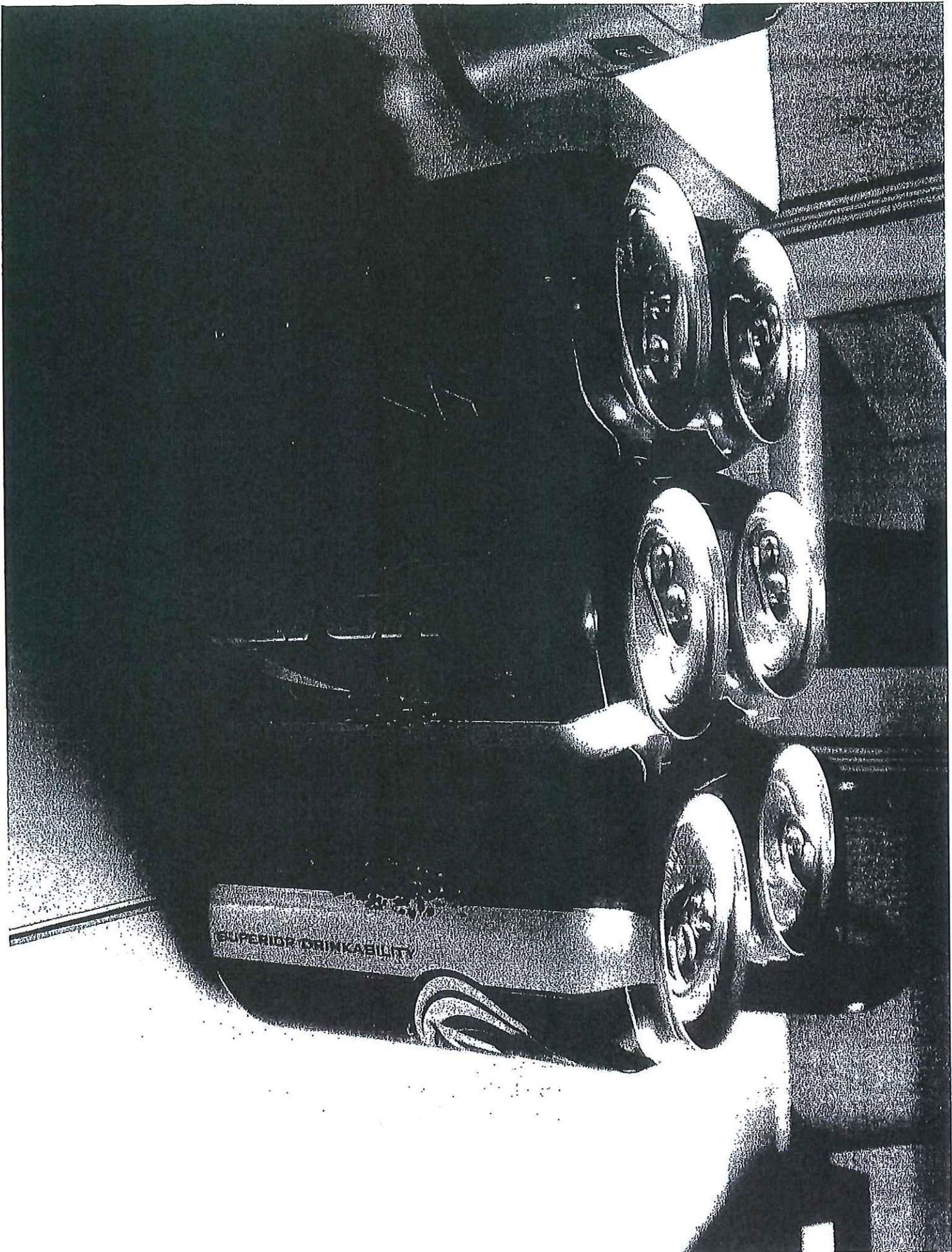
T1 \$10.48
\$7.12

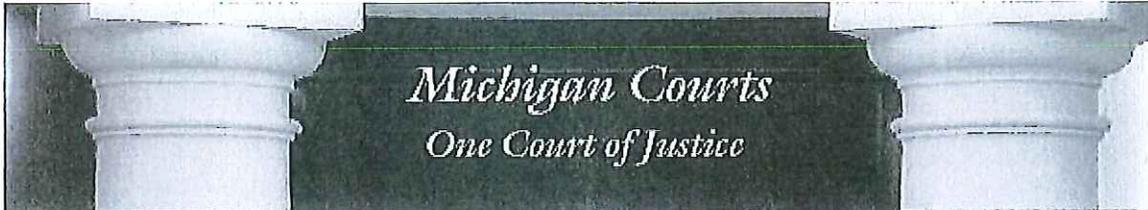
The Melting Pot Restaurant
A Fondue Restaurant

Donation for St. Jude \$ _____

Server: Bar	02/20/2015
Fast Close/1	4:50 PM
Guests: 0	30005
Hennessy VS	6.50
Subtotal	6.50
Tax	0.39
Total	6.89
Balance Due	6.89

Win Fondue for a Year!!!
Give us your feedback
Go to www.fonduesurvey.com





Case #: 15TR01846 Case Type: ON Case Status: CLSD

Header Information

STATE OF MICHIGAN		CASE NO: 15TR01846	D01 ON
52-4 JUDICIAL DISTRICT	REGISTER OF ACTIONS		
ORI630165J		STATUS: CLSD	03/04/15
PIN: 15-5732			

JUDGE OF RECORD:
JUDGE:

Party Information

CITY OF TROY v

BABI/ADEL/
 [REDACTED]
 TROY MI 48098

CTN:
 TCN:
 SID:
 ENTRY DATE: 02/25/15
 OFFENSE DATE: 02/20/15

VEH YR: VEH MAKE:
 OFFICER: BORDO - TROY PD

VEHICLE TYPE: VIN: PAPER PLATE:
 DEPT: TROY PD

PROSECUTOR:

VENUE: CITY OF TROY

Charges

COUNT 1 C/M/F: C 9300556 PAC#436.1701 (1)

SALE OF ALC U/21-ENF ACTION-ORDINANCE

ARRAIGNMENT DATE: PLEA: PLEA DATE:

FINDINGS: JDMNT RNRD DISPOSITION DATE: 03/04/15

SENTENCING DATE: 03/04/15

FINE	COST	ST.COST	CON	MISC.	REST	TOT FINE	TOT DUE
90.00	0.00	10.00	0.00	0.00	0.00	100.00	0.00

JAIL SENTENCE: PROBATION:
 VEH IMMOB START DATE: NUMBER OF DAYS: VEH FORFEITURE:

Events

DATE	ACTIONS, JUDGMENTS, CASE NOTES	INITIALS
02/20/15		



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

IN RE: A & S BABI, INC.
D/B/A JOHN'S PARTY STORE
4009 LIVERNOIS
TROY, MI 48098

HEARING: JUNE 3, 2015
PLACE: STERLING HEIGHTS
COMPLAINT NO. 5-170521
BUSINESS ID NO. 10207
SDD SDM SS(AM & PM)

CHARGES - FEBRUARY 20, 2015

- (1) Sold or furnished alcoholic liquor to unnamed minor, _____, date of birth May 5, 1996, who was less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

FINDINGS OF FACT

Sana Thomas Babi, an officer of the above-named corporation, appeared before this Administrative Law Judge. After being advised of the constitutional right to be represented by an attorney pursuant to Rule 436.1909(2), Ms. Babi waived the right to legal counsel and entered a plea of acknowledgment to the one charge cited in Case No. 5-170521 pursuant to Section 903 of the Michigan Liquor Control Code, MCL 436.1903, and Rule 436.1909(1) of the Michigan Liquor Control Commission (Commission). Assistant Attorney General Susan Moody-Frezza represented all law enforcement agencies involved in this matter.

The Administrative Law Judge accepted said plea of acknowledgment after being assured that it was entered voluntarily and with the full understanding of its meaning and

implications. The Violation Report and its attachments were admitted into evidence as State's Exhibit 1.

The Administrative Law Judge finds that, while under the direction of law enforcement, Decoy _____ who was eighteen (18) years of age at the time of the incident, entered the above-named licensed establishment on February 20, 2015 and purchased alcoholic liquor from an employee of the Licensee. The Administrative Law Judge further finds that the employee of the Licensee neither demanded nor was shown proper identification showing that the decoy was at least twenty-one (21) years old; however, the employee still sold alcoholic liquor to the decoy. The employee did not make a diligent inquiry to determine the true age of the purchaser.

CONCLUSIONS OF LAW

Based upon the aforementioned plea and findings of fact, the Administrative Law Judge concludes that the Licensee violated MCL 436.1801(2) as cited in the one charge in the complaint in this matter.

ORDER

In determining penalty, the Administrative Law Judge considered the Licensee's total record, which shows three (3) previous violations since being licensed on December 12, 1995, at the above-named location under the current ownership.

As a penalty, the Administrative Law Judge Orders a fine of \$500 in this matter. Further, the Administrative Law Judge Orders that a suspension of twenty-five (25) continuous days shall be imposed if the fine is not paid, with this suspension to run

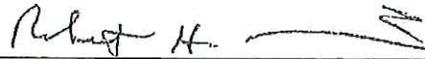
A & S BABI, INC.
D/B/A JOHN'S PARTY STORE

PAGE 3
COMPLAINT NO. 5-170521

consecutively and not concurrently with any other suspension Ordered by the Commission, if the fine is not paid within forty-five (45) days from the mailing of this Order.

Further, the Administrative Law Judge Orders the Licensee to pay total cost of \$7.87 for witness fees involved in connection with the hearing.

MICHIGAN LIQUOR CONTROL COMMISSION



Robert H. Mourning, Administrative Law Judge

Date Mailed: JUN 29 2015

Susan Moody-Frezza
Assistant Attorney General
25680 W 8 Mile Rd.
Southfield, MI 48033

RHM: 5-170521/cmr

LCC Liquor Licensee History

Business name: **John's Party Store**
 Address: 4009 Livernois (248) 689-3712
 Licensee: A&S Babi, Inc.
 License type: **SDD, SDM**
 Permits: Sunday Sales
 Comments: 10/23/95 Transferred to A&S Babi

Date	Troy Incident #	Type	Disposition	Date
*****UNDER OWNERSHIP OF JOHN'S PIZZA & DELI, INC.*****				
10/12/72		SDM issued to John & Hilma Bianchette as "John's Pizza and Deli, Inc."		
12/20/76		Approval of SDD license to John & Hilma Bianchette		
02/01/78	78-2615	Sale to Minor	MLCC \$172.60 Fine and Cost	11/22/78
09/15/79	79-20546	Sale to Minor		
08/24/81		John Bianchette, Estate dropped as partner, John Bianchette Jr. added as partner.		
09/17/90		Suzanne Bianchette added as partner.		
10/23/87	87-33759	Sale to Minor	MLCC \$200 fine	07/21/88
02/08/91	91-3664	Sale to Minor	MLCC \$200 fine	03/27/92
*****UNDER OWNERSHIP OF A & S BABI, INC.*****				
10/23/95		License transfer to A&S Babi, Inc.		
10/28/98	98-4616	Sale to Minor-Compliance Insp.	MLCC \$500 fine	12/16/98
02/25/99	99-07560	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/20/99	99-18703	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/23/99	99-23658	Compliance Test	PASSED	
07/06/99	99-25635	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/21/99	MLCC	Sale to Minor (MLCC Comp Test)	\$600	11/10/99
08/19/99	99-31934	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/27/99	none	Compliance Test	PASSED	
12/01/99	99-45846	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/25/00	none	Compliance Test	PASSED	

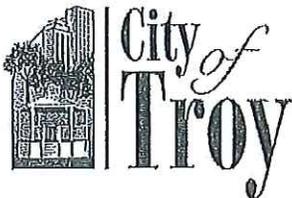
11/15/00	00-42354	Compliance Test	PASSED
04/24/01		Compliance Test	PASSED
07/26/01	01-26507	Liquor Inspection (Road Patrol)	NO VIOLATIONS
08/14/01	01-29112	Compliance Test	PASSED
09/25/01	01-34497	Compliance Test	PASSED
11/03/01	01-39768	Liquor Inspection (Road Patrol)	NO VIOLATIONS
01/10/02	02-01023	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/28/02	02-06363	Compliance Test	PASSED
03/05/02	02-06905	Liquor Inspection (Road Patrol)	NO VIOLATIONS
04/18/02	02-11892	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/12/02	02-18495	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/25/02	02-	Compliance Test	PASSED
08/28/02	02-28385	Liquor Inspection (Road Patrol-Beekman)	NO VIOLATIONS
10/16/02	02-34078	Compliance Test	PASSED
12/12/02	02-40185	Liquor Inspection (Road Patrol-Satterfield)	NO VIOLATIONS
01/16/03	03-	Liquor Inspection (Road Patrol-Satterfield)	NO VIOLATIONS
02/20/03	03-5274	Liquor Inspection (Road Patrol-Satterfield)	NO VIOLATIONS
03/24/03	03-8741	Compliance Test	PASSED
04/26/03	03-12450	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
06/14/03	03-17815	Liquor Inspection (Road Patrol-Himrod)	NO VIOLATIONS
06/19/03	03-18526	Compliance Test	PASSED
07/29/03	03-23386	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
10/27/03	03-33187	Compliance Test	PASSED
01/16/04	04-01578	Liquor Inspection (Road Patrol-Linton)	NO VIOLATIONS
03/05/04	04-06580	Liquor Inspection (Road Patrol-Linton)	NO VIOLATIONS
03/22/04	04-08395	Compliance Test	PASSED
08/14/04	04-25020	Liquor Inspection (Road Patrol-Linton)	NO VIOLATIONS
02/04/05	05-03969	Liquor Inspection (Road Patrol-Sinutko)	NO VIOLATIONS
02/11/05	05-04789	Compliance Test	PASSED
03/06/05	05-07498	Liquor Inspection (Road Patrol-Sinutko)	NO VIOLATIONS

05/17/05	05-16330	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
08/14/05	05-28565	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
09/13/05	05-32410	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
10/13/05		Compliance Test	PASSED
12/17/05	05-44371	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
01/24/06	06-3067	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
02/18/06	06-6590	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
04/02/06	06-12414	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
07/25/06	06-28374	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
11/06/06	06-42336	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
12/21/06		Compliance Test	PASSED
02/20/07	07-6354	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
05/03/07	07-16141	Compliance Test	PASSED
06/26/07	07-23803	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
08/05/07	07-29548	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
08/22/07	07-31920	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
08/23/07	07-32156	Compliance Test	PASSED
10/27/07	07-40789	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
12/06/07	07-45836	Compliance Test	PASSED
12/26/07	07-48497	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
02/19/08	08-6237	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
02/21/08	08-6589	Compliance Test	PASSED
04/07/08	08-12204	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
05/21/08	08-17727	Compliance Test	PASSED
06/30/08	08-23067	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
08/25/08	08-29812	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
10/02/08	08-34264	Compliance Test	PASSED
10/28/08	08-37328	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
12/22/08	08-43592	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
12/30/08	08-44451	Compliance Test	PASSED
02/17/09	09-5653	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS

04/02/09	09-10298	Liquor Inspection (Road Patrol- Lenczewski)	NO VIOLATIONS
05/07/09	09-14299	Compliance Test	PASSED
05/21/09	09-15881	Liquor Inspection (Road Patrol- Lenczewski)	NO VIOLATIONS
08/11/09	09-25360	Liquor Inspection (Road Patrol- Lenczewski)	NO VIOLATIONS
10/06/09	09-31407	Liquor Inspection (Road Patrol- Lenczewski)	NO VIOLATIONS
10/28/09	09-33780	Compliance Test	PASSED
12/03/09	09-37594	Liquor Inspection (Road Patrol- Lenczewski)	NO VIOLATIONS
12/17/09	09-39230	Compliance Test	PASSED
02/17/10	10-4746	Liquor Inspection (Road Patrol- Lenczewski)	NO VIOLATIONS
04/19/10	10-11046	Liquor Inspection (Road Patrol- Lenczewski)	NO VIOLATIONS
06/08/10	10-16705	Liquor Inspection (Road Patrol- Lenczewski)	NO VIOLATIONS
07/19/10	10-21146	Compliance Test	PASSED
08/10/10	10-24061	Liquor Inspection (Road Patrol- Lenczewski)	NO VIOLATIONS
09/01/10	10-26668	Compliance Test	PASSED
10/24/10	10-32498	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
10/27/10	10-32819	Compliance Test	PASSED
12/15/10	10-38400	Compliance Test	PASSED
12/21/10	10-39170	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
02/12/11	11-4357	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
05/03/11		MLCC State Compliance Test	Violation – person under 21 purchased alcoholic liquor. Fined \$400
05/05/11	11-12967	Compliance Test	PASSED
06/12/11	11-16992	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
07/23/11	11-21499	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
08/27/11	11-25364	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
11/21/11	11-34886	Liquor Inspection (Road Patrol- Dungjen)	NO VIOLATIONS
12/08/11	11-36774	Compliance Test	PASSED
01/16/12	12-1721	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS
02/27/12	12-6293	Liquor Inspection (Road Patrol- Dungjen)	NO VIOLATIONS
04/17/12	12-12104	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS

05/10/12	12-14789	Compliance Test	PASSED
07/01/12	12-21677	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
08/26/12	12-28578	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
10/27/12	12-35636	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
11/12/12	12-37573	Compliance Test	PASSED
01/01/13	13-61	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
03/17/13	13-8322	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
03/19/13	13-8510	Compliance Test	PASSED
04/26/13	13-12653	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
07/10/13	13-21658	Liquor Inspection (Road Patrol- Brazel)	NO VIOLATIONS
09/13/13	13-29322	Liquor Inspection (Road Patrol- Brazel)	NO VIOLATIONS
11/04/13	13-34943	Compliance Test	PASSED
11/09/13	13-35585	Liquor Inspection (Road Patrol- Mouch)	NO VIOLATIONS
01/11/14	14-1398	Liquor Inspection (Road Patrol- Mouch)	NO VIOLATIONS
03/01/14	14-6508	Compliance Test	PASSED
03/09/14	14-7503	Liquor Inspection (Road Patrol- Mouch)	NO VIOLATIONS
05/13/14	14-14244	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
07/14/14	14-21347	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
09/13/14	14-28313	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
11/07/14	14-34445	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
01/14/15	15-1536	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
02/20/15	15-5732	Compliance Test (DPU) Sale to Minor	VIOLATION Fined \$500
03/13/15	15-8342	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
05/15/15	15-15815	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
07/14/15	15-23124	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
09/15/15	15-30524	Liquor Inspection (Road Patrol- Alter)	NO VIOLATIONS
11/18/15	15-37844	Compliance Test	PASSED
11/29/15	15-39058	Liquor Inspection (Road Patrol- Flood)	NO VIOLATIONS

This incident



500 W. Big Beaver
Troy, MI 48084
248.524.3300
troymi.gov

February 15, 2016

A & S Babi, Inc. (dba: John's Party Store)
Attn: Sana Thomas Babi
4009 Livernois
Troy, MI 48098

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

A Public Hearing will be held by and before the City of Troy City Council on Monday, February 22, 2016 at 6:00 PM in the City Council Chambers at City Hall, 500 W Big Beaver, Troy, Michigan. The purpose of this meeting is to determine whether the City Council should recommend to the Michigan Liquor Control Commission the renewal or non-renewal of licenses allowed for the sale and/or consumption of alcoholic beverages. The following licensees and violations will be discussed:

Licensee: A&S BABI, INC
DBA: (dba: JOHN'S PARTY STORE)
Public Hearing: MONDAY, FEBRUARY 22, 2016 at 6:00 PM
License Type: SDD (12780-2015) SDM (19705-2015)
Violation : SALE TO MINOR (Compliance Test)
Violation Date FEBRUARY 20, 2015

This notice is sent pursuant to Section 12b of *Chapter 101 – Liquor Licenses* of the City of Troy Code of Ordinances.

Sincerely,

M. Aileen Dickson

M. Aileen Dickson, MMC, GMMC
City Clerk



MEMORANDUM

TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LG*
Julie Quinlan Dufrane, Assistant City Attorney *JQD*
DATE: March 4, 2016
SUBJECT: Liquor Violation Hearing – Mr. Pizza Bootleg Party Store

As you may recall, the public hearing concerning Mr. Pizza Bootleg Party Store was postponed from the February 19, 2016 public hearing. A representative from Mr. Pizza Bootleg did appear, however, that person was not the licensee nor was that person an agent of the party store. In an effort to preserve the licensee's due process rights, council agreed to postpone this hearing to the March 14, 2016 liquor violation hearings.

On February 20, 2015, the Troy Police Department conducted underage decoy inspections for liquor licensed establishments in the City of Troy. The team went to Mr. Pizza Bootleg Party Store located at 4973 Livernois where an underage minor decoy was sold a six-pack of beer. The person who sold the beer to the minor pled responsible to the charge of *furnishing, sale to person under 21*, and was fined \$100 on March 3, 2015. A copy of the reports documenting the alleged violation is attached to this memo as well as a copy of the licensee's history.

Mr. Pizza Bootleg Party Store has SDD and SDM liquor licenses which means alcohol is sold to patrons for consumption off the premises. Under Michigan law, a local unit of government may request, by resolution, that the MLCC revoke the license of an off-premises licensee if the licensee has sold or furnished alcohol to a minor on at least three separate occasions in a consecutive twelve month period. The licensee is entitled to a due process hearing which provides the licensee an opportunity to challenge the alleged violation. In the due process hearing, the City has the obligation to prove the violation. The liquor violation hearing is scheduled in advance, with notice sent by mail to the licensee.

It should be noted that the licensee failed to appear at the hearing held at Michigan Liquor Control Commission (MLCC) which accepted as true the allegations contained in the report and then imposed a fine of \$800.00. The subject violation is the only one for Mr. Pizza Bootleg Party Store in the calendar year 2015.

Please let me know if you have any questions.



MEMORANDUM

TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LGB*
Julie Quinlan Dufrane, Assistant City Attorney *JQD*
DATE: February 19, 2016
SUBJECT: Liquor Violation Hearing – Mr. Pizza Bootleg Party Store

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Please let me know if you have any questions.



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)

7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1998)

This report is not to be faxed or electronically submitted - an original signature is required.

*** OFFICERS please obtain License No., Bus. ID and File # directly from the liquor license ***

License Number 13197-2014, 12781-2014	Business ID 10348	File Number D-64703/1324
Name of Licensee Mr. Pizza, Inc.	Doing Business As Mr. Pizza Bootleg Party Store	
Mailing Address (street, city, zip code) 4973 Livernois; Troy, Michigan 48098		
Township	County Oakland	
Type of License(s) & Permit(s) SDD, SDM 05/01/14-04/30/15		
Date of violation:	Day Friday	Date 02/20/15
		Time 1809

Violation Type: Minor Intoxicated Person Gambling Controlled Substances
 Prohibited Conduct Failure to Cooperate Fighting (must be inside licensed premises)
 After Hours Sales / Consumption Other (explain):

If MINOR: Birth date 05/05/96 Was this a DECOY? Yes No If No, you MUST answer below!
 If above minor violation was NOT a decoy, describe enforcement action taken:

NOTE! COPY OF APPEARANCE TICKET MUST BE ATTACHED.

Submit Report Below or Indicate Attached Report Number 15-5741

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature _____
 Officer Signature _____
 Officer Signature _____
 Officer Signature _____
 Department Name: Troy Police Department

Name and Title Sergeant Nathan Gobler
 Name and Title Officer Victor Bordo
 Name and Title Officer Patrick McWilliams
 Name and Title Officer Gregory Stopczynski
 Telephone Number 248-524-3477

WITNESSES

- Name Decoy Will testify to: Minor who purchased alcohol
- Name Amira Shemami Will testify to: Sold alcohol to minor
- Name _____ Will testify to: _____
- Name _____ Will testify to: _____
- Name _____ Will testify to: _____

Address 500 West Big Beaver Road, Troy MI 48084

Address

Address _____

Address _____

Address _____

EVIDENCE

Location Held (Explain) Receipt and photo of six-pack of Busch Light Beer
LC-600 Rev. 03/05 4880-2362

CR No: 150005741-001 	Report Type: Crime Report	Officer: TRSTOPCZYNSKIG (150335)	001
---	------------------------------	-------------------------------------	------------

TROY PD
500 W. BIG BEAVER
TROY MI 48084
248-524-3477



Case Report

Administrative Details:

CR No 150005741-001	Subject 4171 - Violation of Liquor Control Laws [41001]
Report Date/Time 02/20/2015 01:11	Occurrence Date/Time 02/20/2015 01:11
Location 4973 LIVERNOIS AVE	Call Source FIELD INITIATED
Dispatched Offense C3309 LIQUOR INSPECT	Verified Offense 4171 Violation of Liquor Control Laws
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol DPU	
Report Type Crime Report	
Created By GREGORY STOPCZYNSKI	Created Date/Time 02/20/2015 09:04 PM
Verified By SYSTEM	Verified Date/Time 02/24/2015 08:33 AM
Approved By NATHAN GOBLER	Approved Date/Time 02/20/2015 10:01 PM

People:

SHEMANI, AMIRA IBRAHIM (O-OTHER) [TRSTOPCZYNSKIG (150335)]							
PE:	W.Type:	Last Name Shemani	First Name Amira	Middle Name Ibrahim	Suffix	Mr/Mrs/Ms	
Aliases			Driver License#	DL State	DL Country USA	Personal ID#	
DOB (Age) 357 (57)	Sex F	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address		Apt #	County	Country	Home Phone	Work Phone	
City Oakland Twp		State MI	Zip 48306	Cell Phone	Email		

Property:

1812 - Receipt 5448 [TRSTOPCZYNSKIG (150335)]			
Property Class 48	IBR Type 48 - Documents/Personal or Business	UCR Type K - Miscellaneous	
Status E - Evidence (Including Other Seized Property And Tools)	Count 1	Value 1	
Description RECEIPT AND PHOTO	Disposition	Evidence Tag 150005741.001	
Recovered Date/Time	Location	Owner □,	
Notes			

CR No: 150005741-001



Report Type:
Crime Report

Officer:
TRSTOPCZYNSKIG (150335)

001

RECEIPT FOR PURCHASED 6 PACK OF BUSCH LIGHT
PHOTO OF 6 PACK OF BUSH LIGHT

Narrative:

Troy # 15-5741 / LCC Violation

On 02/20/2015 at approximately 1750hrs, DPU Officers were conducting LCC checks with minor decoy identified as [REDACTED] identification was confiscated and held for safe keeping by the Troy Police Department.

At approximately 1810hrs, decoy [REDACTED] entered into Mr. Pizza Bootleg Liquor store located at 4973 Livernois in Troy. After entering the store, decoy [REDACTED] retrieved a six pack of Busch light cans and walked to the counter to purchase. The clerk, Amira Shemami, was at the counter and sold the Busch light to decoy [REDACTED] without asking him for identification. At this point Decoy [REDACTED] turned directly to DPU Officers and advised us of the sale.

DPU Officer's made the location and spoke with the clerk Amira Shemami. DPU Officers advised Ms. Shemami of the above listed violation of the Michigan Liquor Control Commission. Ms. Shemami was informed of the violation she committed and was issued citation#15TR01847 for furnishing/sale to a person under 21/fail to inquire of age. Officers retained the sales receipt of \$5.89 for the Busch light and obtained a photograph of the Busch light cans and later turned it over to Troy property as evidence. The purchased items were disposed of. Violation report to be submitted to LCC.

No further action taken.

CARMEN LIQUOR
 (313) 371-2111

02/20/15 6:09PM 01
 000000 #0020

BEER WINE 11 \$4.99
 BTL DEPOSIT \$0.60
 NDSE ST \$5.59
 TAX1 \$0.30

***TOTAL \$5.89
 CASH \$10.00
 CHANGE \$4.11

LOTTO \$0.50
 NDSE ST \$3.09
 TAX1 \$0.18
 CASH \$3.25
 02/20/2015 5:30PM 0002
 000000#7741
 6PK BEER 11 \$6.97
 BOTTLE DEPOSIT \$0.60
 NDSE ST \$7.57
 TAX1 \$0.42
 CHARGE1 \$7.99
 02/20/2015 5:31PM 0002
 000000#7742
 NO-SALE
 02/20/2015 5:33PM 0002
 000000#7743 11 \$10.48
 \$7.11

The Melting Pot Restaurant
 A Fondue Restaurant

Donation for St. Jude \$ _____

Server: Bar 02/20/2015
 Fast Close/1 4:50 PM
 Guests: 0 30005

Hennessy VS 6.50

Subtotal 6.50
 Tax 0.39

Total 6.89

Balance Due 6.89

Win Fondue for a Year!!!
 Give us your feedback
 Go to www.fonduesurvey.com





New Search | Name List | Disconnect

Case #: 15TR01847 Case Type: ON Case Status: CLSD

Header Information

STATE OF MICHIGAN		CASE NO: 15TR01847	D01 ON
52-4 JUDICIAL DISTRICT	REGISTER OF ACTIONS		
ORI630165J		STATUS: CLSD	03/03/15
PIN: 15-5741			

JUDGE OF RECORD:
JUDGE:

Party Information

CITY OF TROY v

SHEMAMI/AMIRA/IBRAHIM

OAKLAND TWP MI 48306

CTN:
TCN:
SID:

ENTRY DATE: 02/25/15
OFFENSE DATE: 02/20/15

VEH YR: VEH MAKE:
OFFICER: STOPCZYNSKI - TROY PD

VEHICLE TYPE: VIN: PAPER PLATE:

PROSECUTOR:

DEPT: TROY PD
VENUE: CITY OF TROY

Charges

COUNT 1 C/M/F: C 9300556 PACC#436.1701(1)
SALE OF ALC U/21-ENF ACTION-ORDINANCE
ARRAIGNMENT DATE: PLEA: ADMIT RESPON PLEA DATE: 03/03/15
FINDINGS: JDGMNT RNRD DISPOSITION DATE: 03/03/15
SENTENCING DATE: 03/03/15

FINE	COST	ST.COST	CON	MISC.	REST	TOT FINE	TOT DUE
90.00	0.00	10.00	0.00	0.00	0.00	100.00	0.00

JAIL SENTENCE: PROBATION:
VEH IMMOB START DATE: NUMBER OF DAYS: VEH FORFEITURE:

Events

DATE	ACTIONS, JUDGMENTS, CASE NOTES	INITIALS
02/20/15		



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

IN RE: MR. PIZZA, INC.
D/B/A MR. PIZZA BOOTLEG PARTY STORE
4973 LIVERNOIS
TROY, MI 48098

HEARING: JUNE 3, 2015
PLACE: STERLING HEIGHTS
COMPLAINT NO. 5-170520
BUSINESS ID NO. 10348
SDD SDM SS(PM)

CHARGES - FEBRUARY 20, 2015

- (1) Sold or furnished alcoholic liquor to unnamed minor, [REDACTED] date of birth May 5, 1996, who was less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

FINDINGS OF FACT

At approximately 10:30 a.m., the Administrative Law Judge noted on the record that neither a corporate officer nor an attorney appeared on behalf of the Licensee for a scheduled hearing. A notice of hearing was mailed to the parties, scheduling a hearing for 10:00 a.m. on Wednesday, June 3, 2015, in Sterling Heights, Michigan. Assistant Attorney General Susan Moody-Frezza represented all law enforcement agencies involved in this matter.

The Michigan Liquor Control Commission (Commission) moved for a default of the Licensee under Rule 436.1915(1)(d), which states:

If a proper appearance by a licensee is not made at a scheduled violation hearing in accordance with Rule 436.1913, then the presiding hearing commissioner or duly authorized agent may do any of the following:

- (d) Issue a decision of default.

Further, Section 72(1) of the Administrative Procedures Act of 1969 (APA), 1969 PA 306, as amended, MCL 24.272(1), allows a party to a contested case hearing to proceed in the absence of the other party. Section 78(2) of the APA, MCL 24.278(2), allows for the granting of a default against the other party.

Sec. 72(1) of the APA provides in pertinent part:

If a party fails to appear in a contested case after proper service of notice, the agency, if no adjournment is granted, may proceed with the hearing and make its decision in the absence of the party.

Sec. 78(2) of the APA provides, in pertinent part:

Except as otherwise provided by law, disposition may be made of a contested case by stipulation, agreed settlement, consent order, waiver, default or other method agreed upon by the parties.

The Commission's motion for default was granted. As a result of the default, the factual allegations contained in the complaint were deemed proven. The Violation Report and its attachments were admitted into evidence as State's Exhibit 1.

The Administrative Law Judge finds that, while under the direction of law enforcement, Decoy _____ who was eighteen (18) years of age at the time of the incident, entered the above-named licensed establishment on February 20, 2015 and purchased alcoholic liquor from an employee of the Licensee. The Administrative Law Judge further finds that the employee of the Licensee neither demanded nor was shown proper identification showing that the decoy was at least twenty-one (21) years old; however, the employee still sold alcoholic liquor to the decoy. The employee did not make a diligent inquiry to determine the true age of the purchaser.

CONCLUSIONS OF LAW

Based upon the above findings of fact, the Administrative Law Judge concludes that the Licensee violated MCL 436.1801(2) as cited in the one charge in the complaint in this matter.

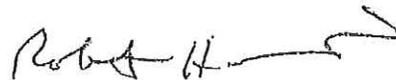
ORDER

In determining penalty, the Administrative Law Judge considered the Licensee's total record, which shows twenty-one (21) previous violations since being licensed on August 16, 1995, at the above-named location under the current ownership.

As a penalty, the Administrative Law Judge Orders a fine of \$800 for the one charge in this matter. Further, the Administrative Law Judge Orders that a suspension of forty (40) continuous days shall be imposed if the fine is not paid, with this suspension to run consecutively and not concurrently with any other suspension Ordered by the Commission, if the fine is not paid within forty-five (45) days from the mailing of this Order.

Further, the Administrative Law Judge Orders the Licensee to pay a total cost of \$7.86 for witness fees involved in connection with the hearing.

MICHIGAN LIQUOR CONTROL COMMISSION



Robert H. Mourning, Administrative Law Judge

JUN 29 2015

Date Signed: _____

Susan Moody-Frezza
Assistant Attorney General
25680 W 8 Mile Rd.
Southfield, MI 48033

Liquor Licensee History

Business name: **Mr. Pizza Bootleg Party Store**
 Address: 4973 Livernois. (248) 528-0820
 Licensee: Mr. Pizza, Inc.
 License type: **SDD, SDM**
 Permits: Sunday Sales
 Comments: Najib Najib Jr. Shemami - Owner

Date	Troy Incident #	Type	Disposition	Date
5/25/85	85-14714	Sale to Minor (C.I.)	\$200.	7/12/85
9/2/88	88-27753	Sale to Minor (C.I.)	\$300	2/22/89
10/26/89	89-33817	Sale to Minor (C.I.)	\$500.	2/6/90
3/14/90	Business transferred to Mr. Pizza Bootleg Party Store II, Inc.			
6/7/90	90-17045	Sale to Minor (C.I.)	\$750.	11/28/90
9/26/94	Business transferred to W&J Corp.			
***** UNDER OWNERSHIP OF MR PIZZA INC. *****				
6/26/95	Business transferred to Amira Shemami (Stockholder in W & J Corp.).			
2/9/96	96-4655	Sale to Minor	Fined \$400	6/4/96
3/17/97	96-4655	Council hearing: TIPS train all employees not trained in last 90 days.		
10/16/98	MLCC	NSF Check to MLCC (x 2)	Fined \$200	01/25/99
9/2/98	MLCC	NSF Check to MLCC	Fined \$300	3/8/99
01/17/99	99-02539	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/06/99	99-08744	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/23/99	99-23660	Compliance Test	PASSED	
07/03/99	99-25355	Sale to Minor-DISMISSED	DISMISSED	11/18/99
07/04/99	99-25355	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/27/99	99-41258	Sale to Minor (Compliance Test)	\$700	06/28/00
05/04/00	00-15250	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/05/00	00-24086	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

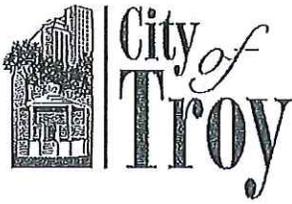
07/25/00	none	Compliance Test	PASSED
08/23/00	00-31263	Liquor Inspection (Road Patrol)	NO VIOLATIONS
10/17/00	00-38517	Liquor Inspection (Road Patrol)	NO VIOLATIONS
11/15/00	00-42351	Compliance Test	PASSED
02/23/01	01-06521	Liquor Inspection (Road Patrol)	NO VIOLATIONS
04/10/01	01-12142	Liquor Inspection (Road Patrol)	NO VIOLATIONS
04/24/01		Compliance Test	PASSED
06/18/01	01-21493	Liquor Inspection (Road Patrol)	NO VIOLATIONS
08/14/01	01-29115	Compliance Test	PASSED
09/25/01	01-34498	Compliance Test	PASSED
12/11/01	01-44274	Liquor Inspection (Road Patrol)	NO VIOLATIONS
01/20/02	02-02145	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/28/02	02-06365	Compliance Test	PASSED
06/25/02	02-	Compliance Test	PASSED
07/06/02	02-21830	Liquor Inspection (Road Patrol)	NO VIOLATIONS
10/16/02	02-34069	Compliance Test	PASSED
12/12/02	02-40236	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
02/06/03	03-3863	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
03/14/03	03-7664	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
03/24/03	03-8742	Compliance Test	PASSED
06/03/03	03-16587	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
06/19/03	03-18527	Compliance Test	PASSED
08/03/03	03-24000	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
09/10/03	03-28244	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
10/27/03	03-33194	Compliance Test	PASSED
11/26/03	03-36401	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
03/02/04	04-06284	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
03/12/04	04-07326	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
03/22/04	04-08394	Compliance Test	PASSED
04/16/04	04-10919	Liquor Inspection (Road Patrol-Langbeen)	NO VIOLATIONS

05/08/04	04-13314	Liquor Inspection (Road Patrol-Langbeen)	NO VIOLATIONS
07/26/04	04-22645	Liquor Inspection (Road Patrol-Langbeen)	NO VIOLATIONS
11/30/04	04-37926	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS
02/11/05	05-04785	Compliance Test	PASSED
02/23/05	05-06158	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS
03/25/05	05-09726	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS
05/16/05	05-16211	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
07/17/05	05-24743	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS
09/06/05	05-31554	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS
10/13/05		Compliance Test	PASSED
11/28/05	05-41933	Liquor Inspection (Road Patrol- Schehr)	NO VIOLATIONS
02/19/06	06-6775	Liquor Inspection (Road Patrol- Schehr)	NO VIOLATIONS
03/19/06	06-10522	Liquor Inspection (Road Patrol- Schehr)	NO VIOLATIONS
04/02/06	06-12412	Liquor Inspection (Road Patrol- Schehr)	NO VIOLATIONS
07/25/06	06-28376	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
11/16/06	06-42334	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
12/21/06		Compliance Test	PASSED
02/20/07	07-6356	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
05/03/07	07-16142	Compliance Test	PASSED
07/11/07	07-26001	Liquor Inspection (Road Patrol- Klute)	NO VIOLATIONS
08/14/07	07-30786	Liquor Inspection (Road Patrol- Klute)	NO VIOLATIONS
08/30/07	07-33274	Liquor Inspection (Road Patrol- Klute)	NO VIOLATIONS
08/23/07	07-32163	Compliance Test	PASSED
12/06/07	07-45845	Compliance Test	PASSED
02/21/08	08-6600	Compliance Test	PASSED
04/10/08	08-12615	Liquor Inspection (Road Patrol- Huck)	NO VIOLATIONS
05/21/08	08-17734	Compliance Test	PASSED
05/22/08	08-17977	Liquor Inspection (Road Patrol-Huck)	NO VIOLATIONS
07/25/08	08-26153	Liquor Inspection (Road Patrol-Huck)	NO VIOLATIONS

10/02/08	08-34274	Compliance Test	PASSED
10/07/08	08-34970	Liquor Inspection (Road Patrol-Yunkari)	NO VIOLATIONS
12/06/08	08-41712	Liquor Inspection (Road Patrol-Yunkari)	NO VIOLATIONS
12/30/08	08-44459	Compliance Test	PASSED
01/23/09	09-2811	Liquor Inspection (Road Patrol-Yunkari)	NO VIOLATIONS
04/16/09	09-11750	Liquor Inspection (Road Patrol-Rockafellow)	NO VIOLATIONS
05/07/09	09-14310	Compliance Test	PASSED
06/27/09	09-20341	Liquor Inspection (Road Patrol-Rockafellow/Dungjen)	NO VIOLATIONS
08/29/09	09-27387	Liquor Inspection (Road Patrol-Rockafellow)	NO VIOLATIONS
10/13/09	09-32137	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
10/28/09	09-33788	Compliance Test	PASSED
12/03/09	09-37579	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
12/17/09	09-39253	Compliance Test	PASSED
02/04/10	10-3447	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
04/14/10	10-10491	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
06/08/10	10-16693	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
07/19/10	10-21156	Compliance Test	PASSED
08/11/10	10-24187	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
09/01/10	10-26679	Compliance Test	PASSED
10/18/10	10-31827	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS
10/27/10	10-32829	Compliance Test	PASSED
12/01/10	10-36756	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS
12/15/10	10-38410	Compliance Test	PASSED
02/22/11	11-5522	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS
05/05/11	11-12977	Compliance Test	PASSED
06/21/11	11-17909	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS
08/11/11		MLCC State Compliance Test Violation – Sale to a Minor	Fined \$600
07/27/11	11-21958	Liquor Inspection (Road Patrol-Geise)	NO VIOLATIONS
10/04/11	11-29595	Liquor Inspection (Road Patrol-Geise)	NO VIOLATIONS

11/01/11	11-32659	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
12/08/11	11-36784	Compliance Test	PASSED
12/13/11	11-37353	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
02/20/12	12-5542	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
05/10/12	12-14800	Compliance Test	PASSED
05/15/12	12-15387	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
11/02/12	12-36342	Liquor Inspection (Road Patrol-Stansbury)	NO VIOLATIONS
11/12/12	12-37600	Compliance Test	PASSED
01/16/13	13-1802	Liquor Inspection (Road Patrol-Stansbury)	NO VIOLATIONS
03/15/13	13-8075	Liquor Inspection (Road Patrol-Stansbury)	NO VIOLATIONS
03/19/13	13-8525	Compliance Test	PASSED
04/26/13	13-12656	Liquor Inspection (Road Patrol-Smith)	NO VIOLATIONS
07/10/13	13-21659	Liquor Inspection (Road Patrol-Brazel)	NO VIOLATIONS
09/13/13	13-29324	Liquor Inspection (Road Patrol-Brazel)	NO VIOLATIONS
11/04/13	13-34953	Compliance Test	PASSED
11/09/13	13-35595	Liquor Inspection (Road Patrol-Mouch)	NO VIOLATIONS
01/11/14	14-1402	Liquor Inspection (Road Patrol-Mouch)	NO VIOLATIONS
03/01/14	14-6531	Compliance Test	PASSED
03/09/14	14-7500	Liquor Inspection (Road Patrol-Mouch)	NO VIOLATIONS
05/12/14	14-14106	Liquor Inspection (Road Patrol-Taylor)	NO VIOLATIONS
06/25/14	14-19133	Liquor Inspection (Road Patrol-Taylor)	NO VIOLATIONS
07/28/14	14-23063	Liquor Inspection (Road Patrol-Taylor)	NO VIOLATIONS
11/12/14	14-34966	Liquor Inspection (Road Patrol-Smith)	NO VIOLATIONS
01/14/15	15-1538	Liquor Inspection (Road Patrol-Smith)	NO VIOLATIONS
02/20/15	15-5741	Compliance Test (DPU) Sale to Minor	VIOLATION Fined \$800
03/13/15	15-8347	Liquor Inspection (Road Patrol-Smith)	NO VIOLATIONS
05/14/15	15-15698	Liquor Inspection (Road Patrol-Smith)	NO VIOLATIONS
07/14/15	15-23126	Liquor Inspection (Road Patrol-Smith)	NO VIOLATIONS
09/08/15	15-29678	Liquor Inspection (Road Patrol-Alter)	NO VIOLATIONS

This incident



500 W. Big Beaver
Troy, MI 48084
248.524.3300
troymi.gov

February 15, 2016

Mr. Pizza, Inc. (dba: Mr. Pizza Bootleg Party Store)
4973 Livernois
Troy, MI 48098

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

A Public Hearing will be held by and before the City of Troy City Council on Monday, February 22, 2016 at 6:00 PM in the City Council Chambers at City Hall, 500 W Big Beaver, Troy, Michigan. The purpose of this meeting is to determine whether the City Council should recommend to the Michigan Liquor Control Commission the renewal or non-renewal of licenses allowed for the sale and/or consumption of alcoholic beverages. The following licensees and violations will be discussed:

Licensee: MR. PIZZA, INC.
DBA: (dba: MR. PIZZA BOOTLEG PARTY STORE)
Public Hearing: MONDAY, FEBRUARY 22, 2016 at 6:00 PM
License Type: SDD (13197-2015) SDM (12781-2015)
Violation : SALE TO MINOR (Compliance Test)
Violation Date FEBRUARY 20, 2015

This notice is sent pursuant to Section 12b of *Chapter 101 – Liquor Licenses* of the City of Troy Code of Ordinances.

Sincerely,

M. Aileen Dickson.

M. Aileen Dickson, MMC, CMMC
City Clerk



MEMORANDUM

TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LB*
Julie Quinlan Dufrane, Assistant City Attorney *JQD*
DATE: March 4, 2016
SUBJECT: Liquor Violation Hearing – Dhammamegha, Inc. d/b/a Priya

On February 25, 2015, the Troy Police Department conducted underage decoy inspections for liquor licensed establishments in the City of Troy. The team went to Priya, a restaurant located at 72 W. Maple Road, where an underage minor decoy was served a bottle of beer. The person who served the alcoholic drink to the minor pled responsible to the charge of *furnishing, sale to person under 21*, and was fined \$100 on March 20, 2015. A copy of the reports documenting the alleged violation is attached to this memo as well as a copy of the licensee's history.

Priya has a Class C Resort liquor license which means alcohol is served to patrons for consumption on the premises. Under MCL 436.1501, on premises liquor licenses are automatically renewed on a yearly basis unless the local legislative body (City Council) objects on or before March 30 of each year. A liquor license violation, such as the sale of alcohol to a minor, could serve as a basis for objecting to the automatic renewal of the liquor license, as the possession of Class C license is a privilege. The licensee is entitled to a due process hearing which provides the licensee an opportunity to challenge the violation. In the due process hearing, the City has the obligation to prove that there was a violation. The liquor violation hearing is scheduled in advance, with notice sent by certified mail to the licensee.

It should be noted that the licensee acknowledged the violation by entering a plea of acknowledgement and was ordered to pay a fine of \$500 by the Michigan Liquor Control Commission (MLCC).

Please let us know if you have any questions.



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1998)

This report is not to be faxed or electronically submitted - an original signature is required.

* OFFICERS please obtain License No., Bus. ID and File # directly from the liquor license *

Table with violation details: License Number 176987-2014, Business ID 213544, File Number, Name of Licensee Dhammamegha, Inc., Doing Business As PRIYA, Mailing Address 72 West Maple Road; Troy, Michigan 48084, Township, County Oakland, Type of License(s) & Permit(s) Class C Resort, Date of violation: Day Wednesday, Date 02/25/15, Time 1832

Violation Type: X Minor Intoxicated Person Gambling Controlled Substances
Prohibited Conduct Failure to Cooperate Fighting (must be inside licensed premises)
After Hours Sales / Consumption Other (explain):

If MINOR: Birth date 04/14/96 Was this a DECOY? X Yes No If No, you MUST answer below!
If above minor violation was NOT a decoy, describe enforcement action taken:

NOTE! COPY OF APPEARANCE TICKET MUST BE ATTACHED.

Submit Report Below or Indicate Attached Report Number 15-5773

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature] Name and Title Sergeant Nathan Gobler
Officer Signature [Signature] Name and Title Officer Victor Bordo
Officer Signature [Signature] Name and Title Officer Gregory Stopczynski
Department Name Troy Police Department Telephone Number 248-524-3477

WITNESSES

- 1. Name Decoy [Signature] Address 500 West Big Beaver Road
Will testify to: Minor who purchased alcohol
2. Name Siriesha Mandava Address
Will testify to: Served alcohol to minor; owner of business
3. Name Address
Will testify to:
4. Name Address
Will testify to:
5. Name Address
Will testify to:

EVIDENCE

Location Held (Explain) Receipt; photo of six-pack of Bud Light
LC-600 Rev. 03/05 4880-2362

CR No: 150005773-001 	Report Type: Crime Report	Officer: TRGOBLERN (101331)	001
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TROY PD
500 W. BIG BEAVER
TROY MI 48084
248-524-3477



Case Report

Administrative Details:

CR No 150005773-001	Subject 4171 - Violation of Liquor Control Laws [41001]
Report Date/Time 02/20/2015 01:39	Occurrence Date/Time 02/20/2015 01:39
Location 72 W MAPLE RD	Call Source FIELD INITIATED
Dispatched Offense C3309 LIQUOR INSPECT	Verified Offense 4171 Violation of Liquor Control Laws
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol DPU	
Report Type Crime Report	
Created By NATHAN GOBLER	Created Date/Time 02/25/2015 10:02 PM

CR No: 150005773-001 	Report Type: Crime Report	Officer: TRGOBLERN (101331)	001
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Offenses:			
4171 - Violation of Liquor Control Laws [TRGOBLERN (101331)]			
IBR Code / IBR Group 90G - Liquor Law Violations / B	Offense File Class 41001 - LIQUOR LICENSE -ESTABLISHMENT		
Crime Against SO	Location Type 21 - Restaurant	Offense Completed Completed	
Domestic Violence No	Hate/Bias 00 - None (No Bias)		
Using A-Alcohol: No C-Computer Equipment: No D-Drugs/Narcotics: No			Cargo Theft

People:										
DECOY (W-WITNESS) [TRGOBLERN (101331)]										
PE:	W.Type: RG	Last Name [REDACTED]			First Name DECOY		Middle Name	Suffix	Mr/Mrs/Ms	
DOB (Age) 04/14/1996 (18)		Sex M	Race WHITE		Ethnicity	Birth City & State	Birth Country	Country of Citizenship		
Street Address 500 W BIG BEAVER				Apt #	County	Country	Home Phone	Work Phone		
City TROY			State MI	Zip 48084	Cell Phone	Email				
Notes STUDENT ENFORCEMENT AIDE										

GOBLER, NATHAN (O-OTHER) (L-POLICE OFFICER) [TRGOBLERN (101331)]										
PE:	W.Type:	Last Name Gobler			First Name Nathan		Middle Name	Suffix	Mr/Mrs/Ms	
Street Address 500 W. Big Beaver				Apt #	County OAKLAND	Country USA	Home Phone	Work Phone		
City Troy			State Mi	Zip 48084	Cell Phone	Email				
Phone/Email										
Type						Description				
BU-Business Phone #1						248-524-3477				

MANDAVA, SIRIESHA (O-OTHER) [TRGOBLERN (101331)]										
PE:	W.Type:	Last Name MANDAVA			First Name SIRIESHA		Middle Name	Suffix	Mr/Mrs/Ms	
Aliases				Driver License# [REDACTED]			DL State MI	DL Country	Personal ID#	
DOB (Age) (51)		Sex F	Race WHITE		Ethnicity	Birth City & State	Birth Country	Country of Citizenship		
Street Address [REDACTED]				Apt #	County	Country	Home Phone	Work Phone		
City [REDACTED]			State MI	Zip	Cell Phone [REDACTED]	Email				
Notes SERVED ALCOHOL. OWNER OF THE RESTAURANT.										

Property:		
1812 - Receipt 5448 [TRGOBLERN (101331)]		
Property Class 48	IBR Type 48 - Documents/Personal or	UCR Type K - Miscellaneous

CR No: 150005773-001 	Report Type: Crime Report	Officer: TRGOBLERN (101331)	001
Business			
Status E - Evidence (Including Other Seized Property And Tools)		Count 1	Value 1
Description PHOTO OF BEER AND RECEIPT		Disposition	Evidence Tag 150005773.001
Recovered Date/Time	Location	Owner □,	

1200 - Beer 5402 [TRGOBLERN (101331)]			
Property Class 02	IBR Type 02 - Alcohol	UCR Type I - Consumable Goods	
Status I - Information Only		Count 1	Value 3.71
Description BUD LIGHT BOTTLE		Disposition	Evidence Tag
Recovered Date/Time	Location	Owner □,	

Narrative:
<p>LCC Violation - Priya Restaurant</p> <p>Origin I (Sergeant Gobler) was working an underage decoy operation checking for liquor violations at businesses in the City of Troy. I escorted Decoy <u> </u> as he attempted to make purchases at license facilities. Decoy <u> </u> is 18 years of age and was not in possession of identification during the detail.</p> <p>Purchase of Alcohol 02/25/2015 at 1829, Decoy <u> </u> entered the Priya Restaurant at 72 W Maple. Decoy <u> </u> sat at a table in the dining room and was met by server/owner Siresha Mandava. Decoy <u> </u> ordered a Bud Light bottle from Mandava. Mandava did not request identification from Decoy <u> </u> or inquire about his age. Mandava delivered a Bud Light bottle and served it to Decoy <u> </u>. Decoy <u> </u> contacted me by phone and asked me to enter the restaurant. I observed Decoy <u> </u> seated with a Bud Light bottle in front of him. Decoy <u> </u> identified the server and Mandava walked up while I was seated at the table with the Decoy <u> </u>. I asked Decoy <u> </u> to leave the establishment. I advised Mandava that she had served alcohol to a minor. Mandava stated that she is the owner of the restaurant. Mandava retrieved the liquor license and presented it to me.</p> <p>Interview with Mandava Mandava admitted serving the alcohol to Decoy <u> </u> and failed to request identification. Mandava declined to complete a written statement.</p>

CR No: 150005773-001 	Report Type: Crime Report	Officer: TRGOBLERN (101331)	001
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Evidence

A receipt for the Bud Light was printed by Mandava. The total sale was \$3.71. I also photographed the beer as it sat on the table in the establishment. These items were tagged and turned over to the property section.

Disposition

Mandava was issued citation #15TR02044 for sold/furnished alcoholic liquor to a minor (C/I). The citation was delivered by mail. LCC violation paperwork was completed and will be submitted to LCC.

NARRATIVE REPORT WITNESS STATEMENT

SUPP CORR DELETE PAGE 1 OF 1

01	DATE 02/25/15	DAY Wed	SHIFT off	PLAT	BADGE 1 215	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 15	INCIDENT # 5773
02	Name: <u>Deeoy [REDACTED]</u>		DOB: <u>4-14-96</u>		Home Phone:					
03	Address: <u>500 Big Beaver</u>		Business Phone:							
04	City: <u>Troy</u>		State: <u>MI</u>		Zip: <u>48064</u>					
05	E-mail Address:				Cell Phone:					

06
07

08 I entered Priya Indian Cuisine
09 establishment at 6:25pm and was
10 seated for two. I was asked for
11 what I wanted to drink and I
12 ordered a Budlight. shortly after I
13 was served the beer and called
14 sergeant Gobbler at 6:32pm. upon
15 arrival, I pointed out the waitress
16 to him and left the establishment.

17
18
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22
23
24
25
26

27 X: [REDACTED]
(SIGNATURE)

28 Taken By:

29 Place: 72 W MAPLE Date: 2-25-15 Time: 6:45p

State of Michigan Uniform Law Citation		Ticket No. 15TR02044	<input type="checkbox"/> Victim Involved
US DOT #	Incident No. 15-5773	Dept. No. 6378400 (TR-TR**)	
The People of: <input type="checkbox"/> the State of Michigan <input type="checkbox"/> Township <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> County	Local Use/Arrest No.	Detection Device	
OF: TROY	BAC	1 of 1	
THE UNDERSIGNED SAYS THAT ON:	Month 02 Day 25 Year 15	At approximately <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	Date of Birth Month 1 Day 1 Year 15
State MI <input checked="" type="checkbox"/> Oper./Chauff. <input type="checkbox"/> CDL	Driver License Number	SSN (last 4 digits)	
Race W Sex F Height 5' 02" Weight 145 Hair BRO Eyes BRO Occupation/Employer	Name (First, Middle, Last) SIRIESHA MANDAVA		
Street			
City	State MI	Zip Code	
Vehicle Plate No.	Year	State	Vehicle Description (Year, Make, Color)
THE PERSON NAMED ABOVE, in violation of <input checked="" type="checkbox"/> Local Ordinance <input type="checkbox"/> State Law <input type="checkbox"/> Administrative Rule			
UPON PRIYA			
AT OR NEAR 72 W MAPLE RD			
WITHIN <input checked="" type="checkbox"/> CITY <input type="checkbox"/> VILLAGE <input type="checkbox"/> TOWNSHIP OF TROY			
COUNTY OF OAKLAND DID THE FOLLOWING			
Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend. 9300556	FURNISHING, SALE TO PERSONS UNDER 21 AND/OR FAILURE TO INQUIRE AS TO AGE DURING ENFORCEMENT ACTION	1
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		3
TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.			
Offense Code(s) 1 98.10.14 2 3			
Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending			
Remarks: PRIYA			
CHECK IF APPROPRIATE <input type="checkbox"/> Damage to Property <input type="checkbox"/> Local Court Bond \$ <input type="checkbox"/> <input type="checkbox"/> Vehicle Impounded <input type="checkbox"/> Injury <input type="checkbox"/> License Posted in Lieu of Bond <input type="checkbox"/> Traffic Crash <input type="checkbox"/> Death <input type="checkbox"/> Appearance Certificate Person in Active Military Service <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> None			
SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS Appearance Date on or before MAR 25, 2015 0830 AM Hearing Date (if applicable) on <input type="checkbox"/> Juvenile Traffic Misd. (Court will Notify) <input type="checkbox"/> Formal Hearing Required. (Court will Notify) <input checked="" type="checkbox"/> Contact Court			
In the 52ND DISTRICT COURT Court of TROY			
Court Address & Phone Number 52ND DISTRICT COURT, 4TH DIVISION 520 WEST BIG BEAVER ROAD (248) 528-0400 TROY, MI 48084			
<input checked="" type="checkbox"/> I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable). I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.			
Complainant's Signature and receipt if applicable SGT. N. GOBLER	Month 02 Day 25 Year 15	Officer's Name (printed) SGT. N. GOBLER	
Agency ORI MI- 6378400	Agency Name TROY PD	Officer's ID No. 215	
UC-01a Online payment Web site: https://courts.oakgov.com/OakEtix/ (rev. 6/05)			

Ticket
15TR02044
 Name
MANDAVA, SIRIESHA
 Case No.

PRIYA RESTAURANT

72 WEST MAPLE

TROY, Michigan

Tel: (248) 231-1287

Check #: 388148

Server: # 49

Date: 02/25/2015

Table: 5

Time: 18:39

Client: 1

1	Budlite	3.50
---	---------	------

	SUB-TOTAL:	3.50
--	------------	------

	State Tax:	0.21
--	------------	------

TOTAL:	3.71
---------------	-------------

Thank you for your business.

Join our email club at

www.priyarestaurant.com

www.facebook.com/opriya72

www.twitter.com/PriyaRestaurant

email: troypriya@gmail.com

Tel: (248) 269-0100

Fax: (248) 269-9358

005 000 3.00
005 000 3.00
005 000 3.00

SOUPS

Salads



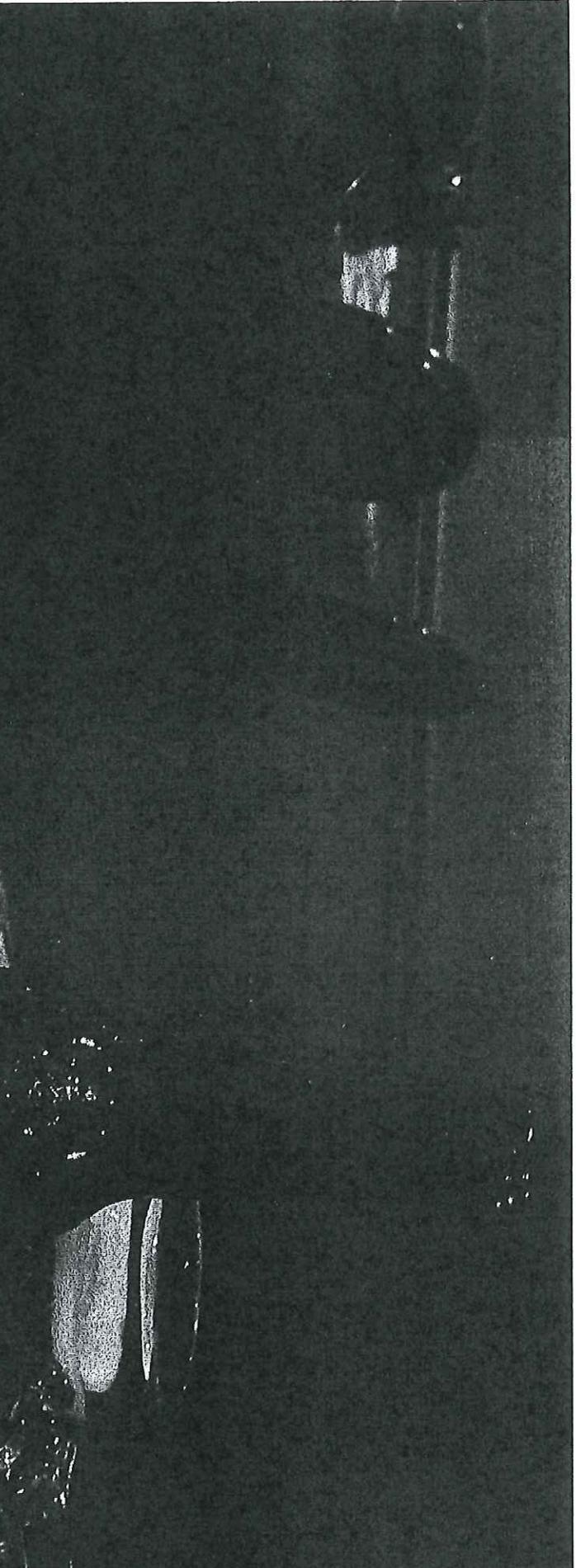
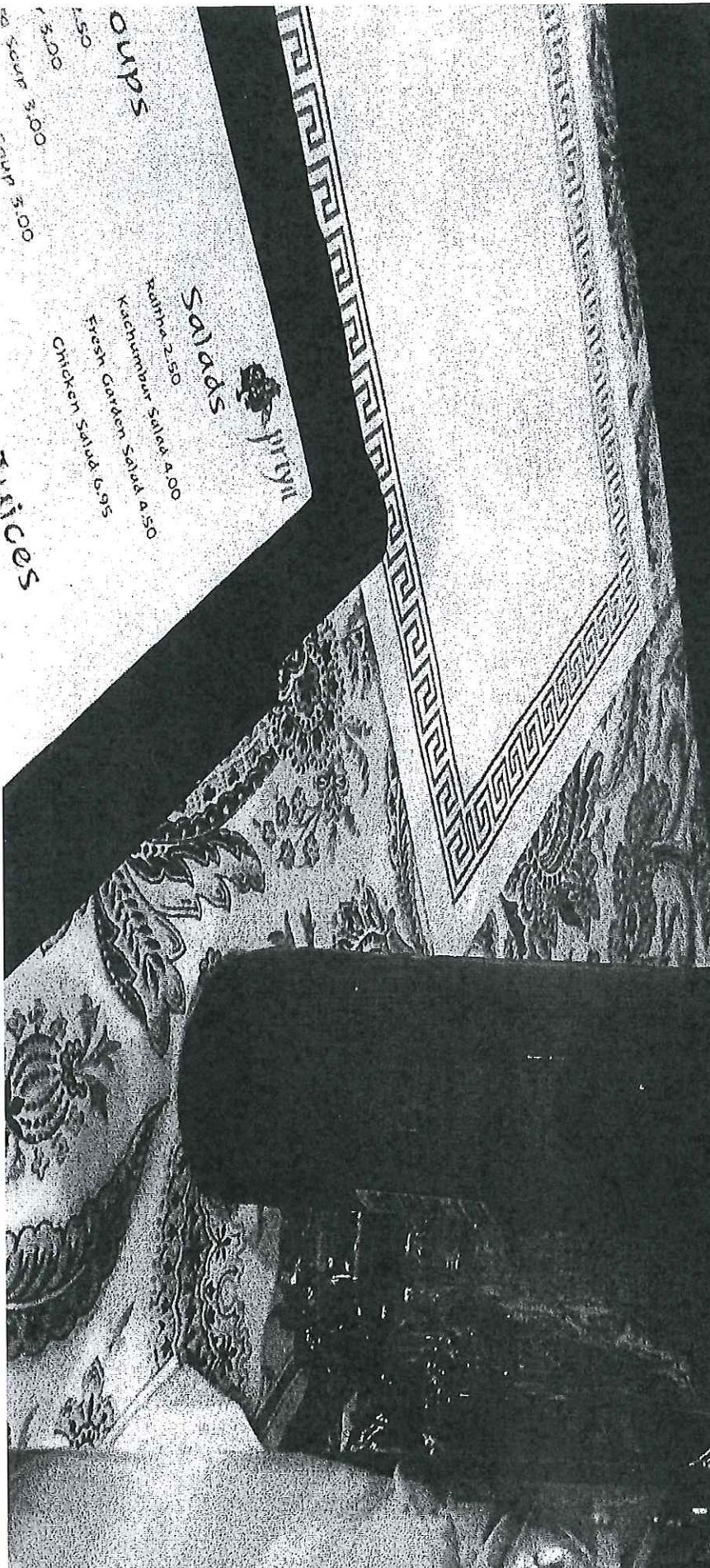
Raita 2.50

Kachumber Salad 4.00

Fresh Garden Salad 4.50

Chicken Salad 6.95

Drinks





New Search | Name List | Disconnect

Case #: 15TR02044 Case Type: ON Case Status: CLSD

Header Information

STATE OF MICHIGAN | CASE NO: 15TR02044 D01 ON |
52-4 JUDICIAL DISTRICT | REGISTER OF ACTIONS |
ORI630165J | STATUS: CLSD 03/20/15 |
PIN: 15-0005773 |

JUDGE OF RECORD:
JUDGE:

Party Information

CITY OF TROY v

MANDAVA/SIRIESHA/

CTN:
TCN:
SID:

ENTRY DATE: 02/26/15
OFFENSE DATE: 02/25/15 925 PM

VEH YR: VEH MAKE:
OFFICER: GOBLER, N-TROY PD

VEHICLE TYPE: VIN:
VPN: PAPER PLATE:

DEPT: TROY PD

PROSECUTOR:

VENUE: CITY OF TROY

Charges

COUNT 1 C/M/F: C 9300556

PACC#436.1701(1)

SALE OF ALC U/21-ENF ACTION-ORDINANCE

ARRAIGNMENT DATE: PLEA: ADMIT RESPON PLEA DATE: 03/20/15

FINDINGS: JDMNT RNRD DISPOSITION DATE: 03/20/15

SENTENCING DATE: 03/20/15

FINE COST ST.COST CON MISC. REST TOT FINE TOT DUE
90.00 0.00 10.00 0.00 0.00 0.00 100.00 0.00

JAIL SENTENCE: PROBATION:
VEH IMMOB START DATE: NUMBER OF DAYS: VEH FORFEITURE:

Events

DATE ACTIONS, JUDGMENTS, CASE NOTES INITIALS
02/25/15



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

IN RE: DHAMMAMEGHA, INC.
D/B/A PRIYA
72 W. MAPLE
TROY, MI 48084

COMPLAINT NO. 5-170517
BUSINESS ID NO. 213544

CC RES SS (PM) SPECIFIC
PURPOSE PERMIT (FOOD)

CHARGE – FEBRUARY 25, 2015

- (1) Sold or furnished alcoholic liquor to unnamed minor, Decoy [redacted] date of birth April 14, 1996, who was less than twenty-one (21) years old, contrary to Const 1963, art 4§ 40 and contrary to Section 801(2) and/or Section 701 (1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

FINDINGS OF FACT

The Commissioner finds as fact, based upon the signature on the Michigan Liquor Control Commission's (MLCC) Waiver and Acknowledgment form of Ravi Mandava, President of the above-noted Licensed Corporation, that under administrative rule R 436.1907 of the Michigan Administrative Code, the Licensee in this case has voluntarily waived the right to a hearing to contest the cited allegation in this matter and has entered a plea of acknowledgment to the one charge stated in Case No. 5-170517.

The Commissioner accepts the Violation Report of this case, along with any attachments therein, and a True Copy of the prior record of this Licensee at the above-named location as evidence in lieu of testimony in this matter.

The Commissioner believes and finds as fact, based on the Violation Report and

attachments therein, that minor Decoy [REDACTED], while under the direction of the Troy Police Department, entered the above-named licensed establishment on February 25, 2015, and purchased alcoholic liquor from an employee of the above-named Licensee without showing proper proof of age.

The Commissioner further finds that the employee of the above-named Licensee in this case did not ask for identification, was not shown proper proof of age, and did not make a diligent inquiry to determine the proper true age of the purchaser.

The Commissioner further believes and finds as fact, based on the Violation Report and attachments therein, that at the time of this incident, minor Decoy [REDACTED], born April 14, 1996, was 18 years of age.

CONCLUSIONS OF LAW

Based upon the aforementioned Findings of Fact, the Commissioner concludes that the Licensee in Case No. 5-170517 did violate MCL 436.1801(2) of the Michigan Liquor Control Code, as cited.

ORDER

In determining this violation's penalty, the Commissioner considered the Licensee's total record at the above-named location, which shows no prior violations since securing MLCC licensure on January 28, 2009.

Therefore, the Commissioner Orders a penalty fine of \$500 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of twenty-five (25) continuous days, to run consecutively and not concurrently with any other

DHAMMAMEGHA, INC.
D/B/A PRIYA

PAGE 3
COMPLAINT NO. 5-170517

suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

MICHIGAN LIQUOR CONTROL COMMISSION



Edward D. Clemente, Commissioner

Date Mailed: MAY 01 2015

EDC: 5-170517/AML

LCC Liquor Licensee History

Business name: **Priya**
 Address: 72 W. Maple
 Licensee: Dhammamegha, Inc.
 License type: Class C Resort
 Permits: Sunday Sales, Food
 Comments: Ravi Mandava 248-471-1753

Date	Troy Incident #	Type	Disposition	Date
08/25/08		Council approves request		
09/25/08		Final Inspection complete Release letter sent to MLCC		
10/1/08	08-34329	Sale to Minor – Compliance Test	VIOLATION	
10/31/08	08-37737	Liquor Inspection (Road Patrol-Cooney)	NO VIOLATIONS	
12/22/08	08-43625	Liquor Inspection (Road Patrol-Cooney)	NO VIOLATIONS	
01/28/09		Final Approval by MLCC		
02/17/09	09-5664	Liquor Inspection (Road Patrol-Cooney)	NO VIOLATIONS	
04/21/09	09-12369	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS	
05/07/09	09-14273	Compliance Test	PASSED	
06/23/09	09-19874	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS	
08/10/09	09-25278	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS	
10/28/09	09-33761	Compliance Test	PASSED	
11/16/09	09-35975	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS	
12/17/09	09-39282	Compliance Test	PASSED	
01/30/10	10-2993	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS	
03/08/10	10-6678	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS	
04/30/10	10-12286	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS	
06/23/10	10-18541	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS	
07/19/10	10-21194	Compliance Test	PASSED	

08/18/10	10-25095	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS
09/01/10	10-26710	Compliance Test	PASSED
10/27/10	10-32883	Compliance Test	PASSED
11/30/10	10-36697	Liquor Inspection (Road Patrol-Daniels)	NO VIOLATIONS
12/15/10	10-38440	Compliance Test	PASSED
01/14/11	11-1370	Liquor Inspection (Road Patrol-Daniels)	NO VIOLATIONS
03/10/11	11-7417	Liquor Inspection (Road Patrol-Daniels)	NO VIOLATIONS
05/05/11	11-13012	Compliance Test	PASSED
08/24/11	11-25029	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
09/08/11	11-26678	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
09/22/11	11-28330	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
12/01/11	11-35946	Liquor Inspection (Road Patrol-Stansbury)	NO VIOLATIONS
12/08/11	11-36816	Compliance Test	PASSED
01/10/12	12-1012	Liquor Inspection (Road Patrol-Stansbury)	NO VIOLATIONS
03/06/12	12-7213	Liquor Inspection (Road Patrol-Stansbury)	NO VIOLATIONS
05/10/12	12-14774	Compliance Test	PASSED
05/12/12	12-15060	Liquor Inspection (Road Patrol-Morse)	NO VIOLATIONS
07/12/12	12-23041	Liquor Inspection (Road Patrol-Morse)	NO VIOLATIONS
08/23/12	12-28167	Liquor Inspection (Road Patrol-Morse)	NO VIOLATIONS
11/12/12	12-37611	Compliance Test	PASSED
11/14/12	12-37843	Liquor Inspection (Road Patrol-Morse)	NO VIOLATIONS
01/18/13	13-1979	Liquor Inspection (Road Patrol-Morse)	NO VIOLATIONS
03/16/13	13-8180	Liquor Inspection (Road Patrol-Morse)	NO VIOLATIONS
03/19/13	13-8579	Compliance Test	PASSED
05/13/13	13-14546	Liquor Inspection (Road Patrol-Villerot)	NO VIOLATIONS
07/13/13	13-21972	Liquor Inspection (Road Patrol-Villerot)	NO VIOLATIONS
09/09/13	13-28697	Liquor Inspection (Road Patrol-Villerot)	NO VIOLATIONS
11/05/13	13-35000	Compliance Test	PASSED
11/14/13	13-36116	Liquor Inspection (Road Patrol-Villerot)	NO VIOLATIONS

01/12/14	14-1457	Liquor Inspection (Road Patrol-Villerot)	NO VIOLATIONS
03/01/14	14-6618	Compliance Test	PASSED
03/13/14	14-7890	Liquor Inspection (Road Patrol-Villerot)	NO VIOLATIONS
04/02/14	14-9988	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS
05/22/14	14-15283	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS
07/25/14	14-22612	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS
11/23/14	14-36164	Liquor Inspection (Road Patrol-Jones)	NO VIOLATIONS
12/27/14	14-39643	Liquor Inspection (Road Patrol-Jones)	NO VIOLATIONS
02/17/15	15-5352	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
02/25/15	15-5773	Compliance Test (DPU) Sale to Minor	VIOLATION Fined \$500
05/15/15	15-15767	Liquor Inspection (Road Patrol-Giordano)	NO VIOLATIONS
09/19/15	15-30965	Liquor Inspection (Road Patrol-Giordano)	NO VIOLATIONS
09/25/15	15-31658	Liquor Inspection (Road Patrol-Giordano)	NO VIOLATIONS
11/24/15	15-38550	Compliance Test	PASSED

*This
incident*



MEMORANDUM

TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LG*
Julie Quinlan Dufrane, Assistant City Attorney *JQ*
DATE: March 4, 2016
SUBJECT: Liquor Violation Hearing – JJWM, LLC Inc. d/b/a Café Sushi

On November 17, 2015, the Troy Police Department conducted underage decoy inspections for liquor licensed establishments in the City of Troy. The team went to Café Sushi, a restaurant located at 1933 W. Maple Road, where an underage minor decoy was served two (2) bottles of beer. The person who served the alcoholic drink to the minor pled responsible to the charge of *furnishing, sale to person under 21*, and was fined \$100 on December 2, 2015. A copy of the reports documenting the alleged violation is attached to this memo as well as a copy of the licensee's history.

Café Sushi has a Class C liquor license which means alcohol is served to patrons for consumption on the premises. Under MCL 436.1501, on premises liquor licenses are automatically renewed on a yearly basis unless the local legislative body (City Council) objects on or before March 30 of each year. A liquor license violation, such as the sale of alcohol to a minor, could serve as a basis for objecting to the automatic renewal of the liquor license, as the possession of Class C license is a privilege. The licensee is entitled to a due process hearing which provides the licensee an opportunity to challenge the violation. In the due process hearing, the City has the obligation to prove that there was a violation. The liquor violation hearing is scheduled in advance, with notice sent by certified mail to the licensee.

As of the date of this memo, the City of Troy has not received a copy of the Order disposing of this matter at the Michigan Liquor Control Commission (MLCC). Upon review of the MLCC's website, it appears the licensee was ordered to pay a fine of \$600.

Please let us know if you have any questions.



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)

525 W. Allegan St., P.O. Box 30005
Lansing, MI 48909-7505
Phone (866) 813-0011 • Fax (517) 763-0053
www.michigan.gov/lcc

VIOLATION REPORT

(Authorized by P.A. 58 of 1998)

* Please obtain the **License No., and Business ID No.**, directly from the liquor license*

License No. 199619-2015 Business ID No. 225290

1. Name of Licensee JJWM, LLC 2. Doing Business As Cafe Sushi

3. Mailing Address (street, city, zip code) 1933 W Maple, Troy, MI 48084

4. Township/Village Troy 5. County Oakland

6. Type of License(s) & Permit(s)
Class C, SDM

7. Date of Violation November 17, 2015 Hour 7:41 AM PM

8. Violation Type
- | | |
|--|---|
| <input checked="" type="checkbox"/> Minor | <input type="checkbox"/> After Hour's sales/consumption |
| <input type="checkbox"/> Intoxicated Person | <input type="checkbox"/> Fighting, (Must be inside licensed premises) |
| <input type="checkbox"/> Gambling | <input type="checkbox"/> Failure to Cooperate |
| <input type="checkbox"/> Controlled Substances | <input type="checkbox"/> OTHER: |
| <input type="checkbox"/> Prohibited Conduct | |

If MINOR: Birth Date 11/10/1998 Was this a DECOY? Yes No if no, you MUST answer below:

If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report #
15-37727

Officer Signature [Signature] Name and Title (print) Sergeant Nate Gobler

Officer Signature [Signature] Name and Title (print) Officer Bruce Gentry

Department Name Troy Police Department Phone No. 248-524-3477

WITNESSES

1. Name DECOY [redacted] Address 500 W Big Beaver, Troy, MI 48084

Will testify to:
Purchasing Alcohol

2. Name Douacee Moua Address [redacted] 7

Will testify to:
Furnish/Sale to Minor

3. Name Stephen Luk Address [redacted]

Will testify to:
Manager of the Restaurant

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

Location Evidence Held (Explain):

Released to Establishment

Provide List of Evidence:

CR No: 150037727-001 	Report Type: Not A Crime - Other Service	Officer: TRGOBLERN (101331)	001
---	---	--------------------------------	-----

TROY PD
500 W. BIG BEAVER
TROY MI 48084
248-524-3477



Case Report

Administrative Details:

CR No 150037727-001	Subject 4171 - Violation of Liquor Control Laws [41001]
Report Date/Time 11/17/2015 19:56	Occurrence Date/Time 11/17/2015 19:56
Location 1933 W MAPLE RD	Call Source FOP
Dispatched Offense 4199 Liquor Violations (Other)	Verified Offense 4171 Violation of Liquor Control Laws
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol DPU	
Report Type Not A Crime - Other Service	
Created By NATHAN GOBLER	Created Date/Time 11/18/2015 01:38 PM
Verified By SYSTEM	Verified Date/Time 11/18/2015 02:02 PM
Approved By NATHAN GOBLER	Approved Date/Time 11/18/2015 02:04 PM

CR No: 150037727-001 	Report Type: Not A Crime - Other Service	Officer: TRGOBLERN (101331)	001
---	---	--------------------------------	-----

Offenses:

4171 - Violation of Liquor Control Laws [TRGOBLERN (101331)]			
IBR Code / IBR Group 90G - Liquor Law Violations / B	Offense File Class 41001 - LIQUOR LICENSE -ESTABLISHMENT		
Crime Against SO	Location Type 21 - Restaurant	Offense Completed Completed	
Domestic Violence No	Hate/Bias 00 - None (No Bias)		
Using A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: No	Cargo Theft		

People:

DECOY (W-WITNESS) [TRGOBLERN (101331)]

PE:	W.Type: RG	Last Name	First Name DECOY		Middle Name	Suffix	Mr/Mrs/Ms
DOB (Age) 11/10/1998 (17)	Sex F	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address 500 W BIG BEAVER			Apt #	County	Country	Home Phone UNKNOWN	Work Phone
City TROY	State MI	Zip 48084	Cell Phone UNKNOWN	Email			
Phone/Email							
Type				Description			
BU-Business Phone #1				2485243477			
Notes STUDENT ENFORCEMENT AIDE							

LUK, STEPHEN HO-FUN (O-OTHER) (I-PERSON INTERVIEW) [TRGOBLERN (101331)]

PE:	W.Type:	Last Name LUK	First Name STEPHEN		Middle Name HO-FUN	Suffix	Mr/Mrs/Ms
Aliases			Driver License#	DL State MI	DL Country	Personal ID#	
DOB (Age) [REDACTED] (63)	Sex M	Race ASIAN/PACIFIC ISLANDER	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Complexion	Build	Teeth	Height 5' 6"	Weight 150	Attire		
Street Address [REDACTED] VE			Apt #	County	Country	Home Phone UNKNOWN	Work Phone
City [REDACTED]	State MI	Zip [REDACTED]	Cell Phone [REDACTED]	Email			
Notes MANAGER OF THE RESTAURANT							

GENTRY, BRUCE (O-OTHER) (L-POLICE OFFICER) [TRGOBLERN (101331)]

PE:	W.Type:	Last Name Gentry	First Name Bruce		Middle Name	Suffix	Mr/Mrs/Ms
Street Address 500 W. Big Beaver			Apt #	County OAKLAND	Country USA	Home Phone	Work Phone
City Troy	State Mi	Zip 48084	Cell Phone	Email			
Phone/Email							

CR No: 150037727-001 [Barcode]	Report Type: Not A Crime - Other Service	Officer: TRGOBLERN (101331)	001
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Type	Description
BU-Business Phone #1	248-524-3477

GOBLER, NATHAN (O-OTHER) (L-POLICE OFFICER) [TRGOBLERN (101331)]

PE:	W.Type:	Last Name Gobler	First Name Nathan	Middle Name	Suffix	Mr/Mrs/Ms
Street Address 500 W. Big Beaver		Apt #	County OAKLAND	Country USA	Home Phone	Work Phone
City Troy		State Mi	Zip 48084	Cell Phone	Email	

Phone/Email	
Type	Description
BU-Business Phone #1	248-524-3477

MOUA, DOUACEE (O-OTHER) [TRGOBLERN (101331)]

PE:	W.Type:	Last Name MOUA	First Name DOUACEE	Middle Name	Suffix	Mr/Mrs/Ms
Aliases		Driver License#	DL State MI	DL Country	Personal ID#	
DOB (Age) [REDACTED] (27)	Sex F	Race ASIAN/PACIFIC ISLANDER	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
Complexion	Build	Teeth	Height 5' 3"	Weight 235	Attire	
Street Address [REDACTED]		Apt #	County	Country	Home Phone UNKNOWN	Work Phone
City [REDACTED]		State MI	Zip [REDACTED]	Cell Phone [REDACTED]	Email	

WAITRESS WHO SERVED ALCOHOL

Narrative:

Origin
 On 11/18/2015, Officers from the Directed Patrol Unit (DPU) were conducting an alcohol decoy enforcement operation at licensed establishments in the City of Troy. Decoy [REDACTED] is a 17 year old white female. At 1941 Decoy [REDACTED] entered Café Sushi at 1933 W Maple. Decoy [REDACTED] was met by her waitress who was later identified as Douacee Moua A/F [REDACTED]. Decoy [REDACTED] ordered two Budweiser beers in a bottle. Moua served Decoy [REDACTED] the two beers and failed to request identification. Decoy [REDACTED] contacted me (Sergeant Gobler) via cellphone and reported that she had been served. I entered Café Sushi and observed Decoy [REDACTED] seated at a booth with two bottles of Budweiser in front of her on the table. Decoy [REDACTED] pointed to Moua and identified her as the waitress who served the alcohol. I instructed Decoy [REDACTED] to leave the establishment. After a few minutes Moua returned to the table. At that point I identified myself and advised her that she had served a 17 year old alcohol. Moua apologized and admitted that she had failed to request

CR No: 150037727-001



Report Type:
Not A Crime - Other Service

Officer:
TRGOBLERN (101331)

001

identification from Decoy

Enforcement Action

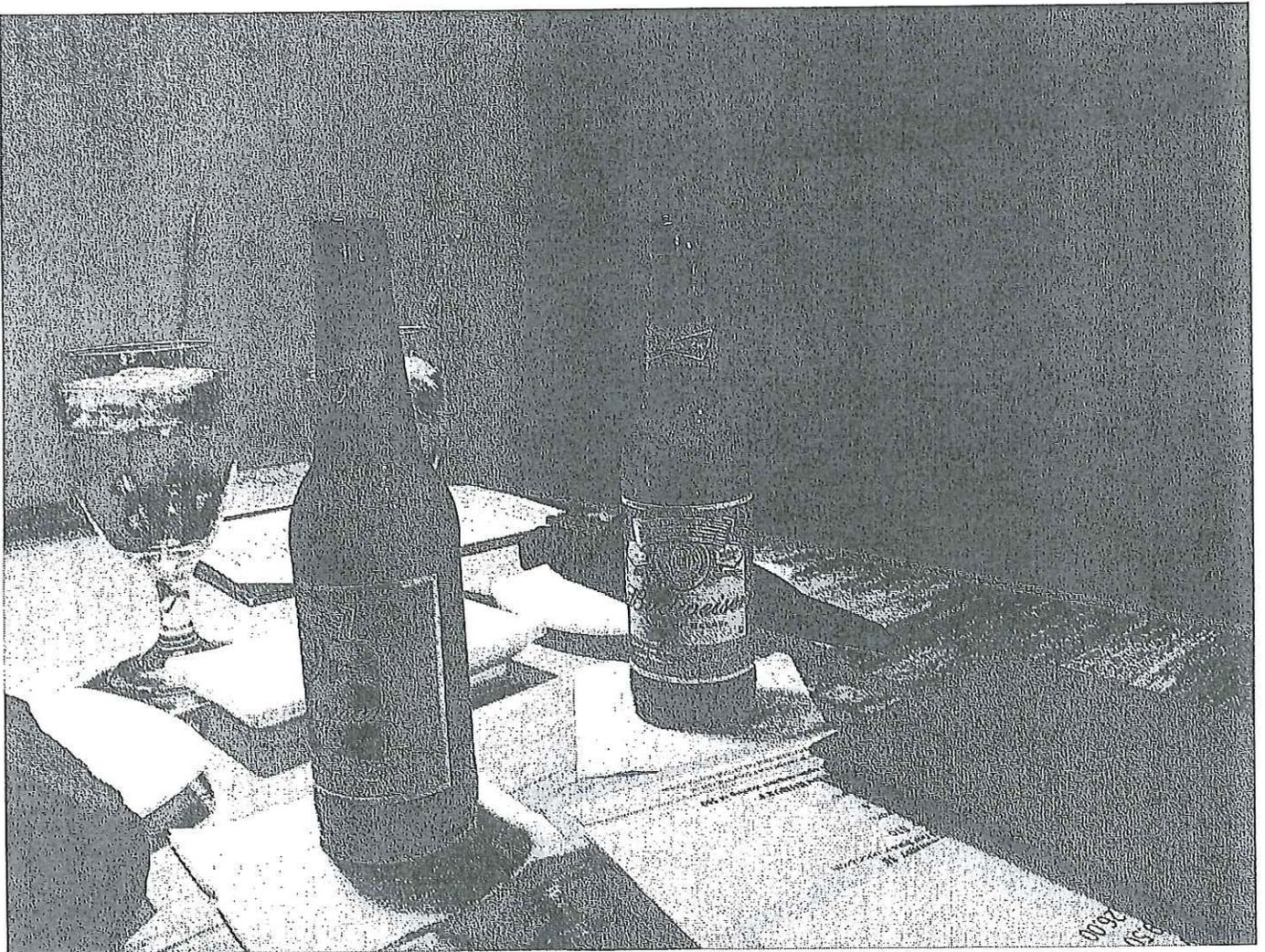
Moua produced her Michigan Ops. The manager on duty was identified as Stephen Luk. Moua was issued citation #15TR11846 for furnishing, sale to person under 21 (C/I). Luk provided the LCC license for the establishment.

Evidence

I took a picture of the beer as it set on the table and included a digital copy with this report. Decoy SS completed a written statement. A copy of the receipt from Café Sushi is included with the report.

Disposition

Moua was released with the citation. Violation report forwarded to LCC.



Attachment File : Alcohol as served

State of Michigan Uniform Law Citation		Ticket No. 15TR11846		<input type="checkbox"/> Victim Involved					
US DOT #		Incident No. 150037727		Dept. No. 6378400 (TR-PTL)**					
The People of: <input type="checkbox"/> the State of Michigan <input type="checkbox"/> Township <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> County		Local Use/Arrest No.		Detection Device					
OF: TROY		BAC		1 of 1					
THE UNDERSIGNED		Month	Day	Year	At approximately <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	Date of Birth	Month	Day	Year
SAYS THAT ON:		11	17	15	08:01				
State <input checked="" type="checkbox"/> Oper./Chauff. <input type="checkbox"/> CDL		Driver License Number				SSN (last 4 digits)			
Race	Sex	Height	Weight	Hair	Eyes	Occupation/Employer			
A	F	5' 03"	235		BRO				
Name (First, Middle, Last) DOUACEE MOUA									
Street									
City									
Zip Code 48017-4863									
Vehicle Plate No.		Year	State	Vehicle Description (Year, Make, Color)			Veh. Type		
THE PERSON NAMED ABOVE, in violation of <input checked="" type="checkbox"/> Local Ordinance <input type="checkbox"/> State Law <input type="checkbox"/> Administrative Rule									
UPON 1933									
AT OR NEAR W MAPLE									
WITHIN <input checked="" type="checkbox"/> CITY <input type="checkbox"/> VILLAGE <input type="checkbox"/> TOWNSHIP OF TROY									
COUNTY OF OAKLAND									
DID THE FOLLOWING									
Charge									
MCL Cite/PACC Code/									
Description (include any bond amount collected on each charge)									
No.									
<input checked="" type="checkbox"/> C/I	<input type="checkbox"/> Warn	<input type="checkbox"/> Authorization pend.		FURNISHING, SALE TO PERSONS UNDER 21 AND/OR FAILURE TO INQUIRE AS TO AGE DURING ENFORCEMENT ACTION				1	
<input type="checkbox"/> Misd	<input type="checkbox"/> Fug	9300556						2	
<input type="checkbox"/> Fel	<input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.						3	
<input type="checkbox"/> C/I	<input type="checkbox"/> Warn	<input type="checkbox"/> Authorization pend.							
<input type="checkbox"/> Misd	<input type="checkbox"/> Fug								
<input type="checkbox"/> Fel	<input type="checkbox"/> Waiv								
<input type="checkbox"/> C/I	<input type="checkbox"/> Warn	<input type="checkbox"/> Authorization pend.							
<input type="checkbox"/> Misd	<input type="checkbox"/> Fug								
<input type="checkbox"/> Fel	<input type="checkbox"/> Waiv								
TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.									
Offense Code(s)									
1 98.10.14 2 3									
Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending									
Remarks: CAFE SUSHI									
CHECK IF APPROPRIATE <input type="checkbox"/> Damage to Property <input type="checkbox"/> Local Court Bond \$ _____ <input type="checkbox"/> Vehicle Impounded <input type="checkbox"/> Injury <input type="checkbox"/> License Posted in Lieu of Bond <input type="checkbox"/> Traffic Crash <input type="checkbox"/> Death <input type="checkbox"/> Appearance Certificate Person in Active Military Service <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> None									
SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS Appearance Date on or before DECEMBER 2, 2015 @0830AM									
Hearing Date (if applicable) on _____ <input checked="" type="checkbox"/> Contact Court <input type="checkbox"/> Juvenile Traffic Misd. (Court will Notify) <input type="checkbox"/> Formal Hearing Required. (Court will Notify)									
In the 52ND DISTRICT COURT Court of TROY									
Court Address & Phone Number 52ND DISTRICT COURT, 4TH DIVISION 520 WEST BIG BEAVER ROAD (248) 528-0400 TROY, MI 48084									
<input checked="" type="checkbox"/> I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable). I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.									
Complainant's Signature and receipt if applicable					Month	Day	Year		
B. GENTRY					11	17	15		
Officer's Name (printed)					Officer's ID No.				
B. GENTRY					83				
Agency ORI			Agency Name						
MI- 6378400			TROY PD						
UC-01a Online payment Web site: https://courts.oakgov.com/OakEtix/ (rev. 6/05)									

Ticket
15TR11846
 Name
MOUA, DOUACEE
 Case No.

Michigan Courts

One Court of Justice

New Search | Name List | Disconnect

Case #: 15TR11846 Case Type: ON Case Status: CLSD

Header Information

STATE OF MICHIGAN		CASE NO: 15TR11846 D01 ON
52-4 JUDICIAL DISTRICT	REGISTER OF ACTIONS	
ORI630165J		STATUS: CLSD 12/02/15
PIN: 150037727		

JUDGE OF RECORD:

JUDGE:

Party Information

CITY OF TROY v

MOUA/DOUACEE/

CTN:

TCN:

SID:

ENTRY DATE: 11/18/15

OFFENSE DATE: 11/17/15 801 PM

VEHICLE TYPE:

VPN:

PAPER PLATE:

VEH YR: VEH MAKE:

VIN:

DEPT: TROY PD

OFFICER: GENTRY - TROY PD

PROSECUTOR:

VENUE: CITY OF TROY

Charges

COUNT 1 C/M/F: C 9300556

PACC#436.1701(1)

SALE OF ALC U/21-ENF ACTION-ORDINANCE

ARRAIGNMENT DATE:

PLEA: ADMIT RESPON

PLEA DATE: 12/02/15

FINDINGS: JDGMNT RNRD DISPOSITION DATE: 12/02/15

SENTENCING DATE: 12/02/15

FINE	COST	ST.COST	CON	MISC.	REST	TOT FINE	TOT DUE
90.00	0.00	10.00	0.00	0.00	0.00	100.00	0.00

JAIL SENTENCE:

PROBATION:

VEH IMMOB START DATE:

NUMBER OF DAYS:

VEH FORFEITURE:

Events

DATE
11/17/15

ACTIONS, JUDGMENTS, CASE NOTES

INITIALS

LARA

Department of Licensing and Regulatory Affairs


MICHIGAN.GOV
 Michigan's
 Official
 Web Site
[Michigan.gov Home](#)[LLIST Home](#) | [MLCC Home](#) | [Contact MLCC](#) | [LARA Home](#)

Michigan Liquor Control Commission

Violation History of Business:225290 JJWM, LLC

Violation Date	MLCC Complaint Number	Violation Description	Decision or Event
11/17/15	174284	SOLD OR FURNISHED ALCOHOL TO UNNAMED MINOR, DECOY SS (17) : (TROY PD, SGT GOBLER AND OFC GENTRY/CLERK DOUACEE MOUA/ID NOT CHECKED)	1/04/2016 LIC ACK COMMISSIONER CLEMENTE 1/25/2016 THEREFORE, THE COMMISSIONER ORDERS A PENALTY FINE OF \$600 FOR THE CHARGE IN THIS MATTER. THE COMMISSIONER FURTHER ORDERS THE LICENSEE TO SERVE A SUSPENSION OF THIRTY (30) CONTINUOUS DAYS TO RUN CONSECUTIVELY AND NOT CONCURRENTLY WITH ANY OTHER SUSPENSION. ORDERED BY THE MLCC, IF THE TOTAL FINE IS NOT PAID WITHIN 45 DAYS FROM THE MAILING DATE OF THIS ORDER.

[ReQuery](#)[Return](#)[Print Window](#)[Close Print Window](#)Michigan Liquor Control Commission

Lansing, MI 48909-7505

Ph: 866-813-0011

Fx: 517-763-0059

[Michigan.gov Home](#) | [LLIST Home](#) | [Contact MLCC](#) | [LARA Home](#) | [State Websites](#)
[Accessibility Policy](#) | [Link Policy](#) | [Security Policy](#)

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LCC

Liquor Licensee History

Business name: **Café Sushi - JJWM**
 Address: 1933 W. Maple Rd. 5D
 Licensee: JJWM, LLC
 License type: **Class C, SDM**
 Permits: Sunday Sales, Food
 Comments:

Date	Troy Incident #	Type	Disposition	Date
10/23/01	01-38249	Liquor Inspection (Road Patrol)	Still under construction	
01/27/02(est)		Business Opens		
02/22/02	02-05691	Compliance Test	PASSED	
03/05/02	02-06880	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/17/02	02-11771	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/20/02	02-19554	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/27/02	02-20604	Compliance Test	PASSED	
09/12/02	02-30135	Liquor Inspection (Road Patrol- Bodek)	NO VIOLATIONS	
10/8/02	02-33519	Compliance Test	PASSED	
12/17/02	02-40718	Liquor Inspection (Road Patrol- Hamzey)	NO VIOLATIONS	
01/15/03	03-1483	Liquor Inspection (Road Patrol- Hamzey)	NO VIOLATIONS	
02/04/03	03-3636	Liquor Inspection (Road Patrol- Hamzey)	NO VIOLATIONS	
04/18/03	03-11532	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS	
04/24/03	03-12230	Compliance Test	PASSED	
06/20/03	03-18703	Compliance Test	PASSED	
08/02/03	03-23854	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS	
08/22/03	03-26253	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS	
10/28/03	03-33307	Compliance Test	PASSED	
11/20/03	03-35675	Liquor Inspection (Road Patrol-Trainer)	NO VIOLATIONS	

02/18/04	04-04994	Liquor Inspection (Road Patrol-Trainer)	NO VIOLATIONS	
03/06/04	04-06671	Liquor Inspection (Road Patrol-Trainer)	NO VIOLATIONS	
03/24/04	04-08527	Compliance Test	PASSED	
06/30/04	04-19501	Compliance Test	PASSED	
08/19/04	04-25359	Liquor Inspection (Road Patrol-Trainer)	NO VIOLATIONS	
02/04/05	05-03939	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS	
03/03/05	05-07149	Sale to Minor (Compliance Test)	\$300 fine	06/20/05
03/04/05	05-07255	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS	
06/11/05	05-19728	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS	
08/01/05	05-26718	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS	
08/29/05	05-30526	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS	
01/11/06	06-1348	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS	
02/15/06	Council	Resolution by Council that all food and beverage employees attend TIPS/TAMS training with 90 days.		
03/04/06	06-8421	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS	
03/18/06	06-10367	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS	
04/18/06		Proof Received		
06/15/06	06-22631	Liquor Inspection (Road Patrol-Redmond)	NO VIOLATIONS	
07/26/06		Compliance Test	PASSED	
08/05/06	06-30098	Liquor Inspection (Road Patrol-Redmond)	NO VIOLATIONS	
01/24/07		Compliance Test	PASSED	
01/31/07	07-3831	Liquor Inspection (Road Patrol-Mcwilliams)	NO VIOLATIONS	
03/21/07	07-10474	Liquor Inspection (Road Patrol-Mcwilliams)	NO VIOLATIONS	
05/10/07	07-17179	Compliance Test	PASSED	
07/21/07	07-27405	Liquor Inspection (Road Patrol-Mcwilliams)	NO VIOLATIONS	
08/22/07	07-31970	Liquor Inspection (Road Patrol-McWilliams)	NO VIOLATIONS	
09/19/07	07-35852	Liquor Inspection (Road Patrol-McWilliams)	NO VIOLATIONS	
10/18/07	07-32176	Compliance Test	PASSED	
11/29/07	07-44970	Liquor Inspection (Road Patrol-McWilliams)	No Violations	
12/13/07	07-45860	Compliance Test	PASSED	

02/14/08	08-5662	Liquor Inspection (Road Patrol- McWilliams)	NO VIOLATIONS
02/21/08	08-6613	Compliance Test	PASSED
03/14/08	08-9420	Liquor Inspection (Road Patrol- McWilliams)	NO VIOLATIONS
05/05/08	08-15752	Liquor Inspection (Road Patrol-Rushton)	NO VIOLATIONS
05/21/08	08-17665	Compliance Test	PASSED
07/28/08	08-26884	Liquor Inspection (Road Patrol-Rushton)	NO VIOLATIONS
09/06/08	08-31304	Liquor Inspection (Road Patrol- Rushton)	NO VIOLATIONS
10/02/08	08-34307	Compliance Test (DPU) Sale to Minor	VIOLATION
11/13/08		MLCC: Violation Upheld	\$600 Fine
12/03/08	08-41405	Liquor Inspection (Road Patrol- LaForest)	NO VIOLATIONS
12/30/08	08-44576	Compliance Test	PASSED
02/03/09	09-4055	Liquor Inspection (Road Patrol- LaForest)	NO VIOLATIONS
2/18/2009		City Council Hearings-Ordered to have all employees attend Tips/Tams training and send proof to PD within 90 days.	
03/11/09	09-8004	Liquor Inspection (Road Patrol- LaForest)	NO VIOLATIONS
04/05/09	09-10649	Liquor Inspection (Road Patrol- Satterfield)	NO VIOLATIONS
05/07/09	09-14230	Compliance Test	PASSED
06/28/09	09-20480	Liquor Inspection (Road Patrol- Satterfield)	NO VIOLATIONS
07/19/09	09-22857	Liquor Inspection (Road Patrol- Satterfield)	NO VIOLATIONS
10/28/09	09-33740	Compliance Test	PASSED
11/11/09	09-35460	Liquor Inspection (Road Patrol- Satterfield)	NO VIOLATIONS
12/17/09	09-39235	Compliance Test	PASSED
01/08/10	10-807	Liquor Inspection (Road Patrol- Satterfield)	NO VIOLATIONS
02/25/10	10-5592	Liquor Inspection (Road Patrol- Satterfield)	NO VIOLATIONS
06/09/10	10-16843	Liquor Inspection (Road Patrol-Browne)	NO VIOLATIONS
07/19/10	10-21169	Compliance Test	PASSED
07/20/10	10-19444	Liquor Inspection (Road Patrol-Browne)	NO VIOLATIONS
09/16/10	10-28405	Liquor Inspection (Road Patrol-Browne)	NO VIOLATIONS
10/22/10	10-32319	Liquor Inspection (Road Patrol-Yunkari)	NO VIOLATIONS

10/27/10	10-32863	Compliance Test	PASSED
12/02/10	10-36890	Liquor Inspection (Road Patrol-Yunkari)	NO VIOLATIONS
12/15/10	10-38421	Compliance Test	PASSED
02/25/11	11-5908	Liquor Inspection (Road Patrol-Yunkari)	NO VIOLATIONS
05/05/11	11-12992	Compliance Test	PASSED
08/23/11	11-24931	Liquor Inspection (Road Patrol-Browne)	NO VIOLATIONS
09/12/11	11-27164	Liquor Inspection (Road Patrol- Satterfield)	NO VIOLATIONS
11/14/11	11-34182	Liquor Inspection (Road Patrol- Bragg)	NO VIOLATIONS
12/08/11	11-36796	Compliance Test	PASSED
01/16/12	12-1724	Liquor Inspection (Road Patrol- Bragg)	NO VIOLATIONS
02/27/12	12-6328	Liquor Inspection (Road Patrol- Bragg)	NO VIOLATIONS
05/10/12	12-14753	Compliance Test	PASSED
05/17/12	12-15679	Liquor Inspection (Road Patrol- Bragg)	NO VIOLATIONS
06/28/12	12-21336	Liquor Inspection (Road Patrol- Bragg)	NO VIOLATIONS
09/06/12	12-30036	Liquor Inspection (Road Patrol- Bragg)	NO VIOLATIONS
11/12/12	12-37578	Compliance Test	PASSED
11/27/12	12-39258	Liquor Inspection (Road Patrol- Giordano)	NO VIOLATIONS
01/21/13	13-2371	Liquor Inspection (Road Patrol- Giordano)	NO VIOLATIONS
03/19/13	13-8547	Compliance Test	PASSED
03/24/13	13-9200	Liquor Inspection (Road Patrol- Giordano)	NO VIOLATIONS
05/11/13	13-14399	Liquor Inspection (Road Patrol- Rushton)	NO VIOLATIONS
07/13/13	13-21998	Liquor Inspection (Road Patrol- Rushton)	NO VIOLATIONS
11/02/13	13-34698	Liquor Inspection (Road Patrol- Strong)	NO VIOLATIONS
11/04/13	13-34971	Compliance Test	PASSED
11/10/13	13-35685	Liquor Inspection (Road Patrol- Rushton)	Business closed for renovations
11/12/13	13-35928	Liquor Inspection (Road Patrol- Rushton)	NO VIOLATIONS
03/01/14	14-6566	Compliance Test	PASSED
03/06/14	14-7187	Liquor Inspection (Road Patrol- Parker)	NO VIOLATIONS
05/10/14	14-13875	Liquor Inspection (Road Patrol- Parker)	NO VIOLATIONS
06/28/14	14-19467	Liquor Inspection (Road Patrol- Parker)	NO VIOLATIONS

09/06/14	14-27577	Liquor Inspection (Road Patrol- Parker)	NO VIOLATIONS
10/15/14	14-31604	Liquor Inspection (Road Patrol- Allan)	NO VIOLATIONS
12/19/14	14-38863	Liquor Inspection (Road Patrol- Allan)	NO VIOLATIONS
02/14/15	15-5032	Liquor Inspection (Road Patrol- Allan)	NO VIOLATIONS
02/20/15	15-5755	Compliance Test	PASSED
04/14/15	15-12235	Liquor Inspection (Road Patrol- Allan)	NO VIOLATIONS
07/07/15	15-22119	Liquor Inspection (Road Patrol- Allan)	NO VIOLATIONS
08/25/15	15-27890	Liquor Inspection (Road Patrol- Allan)	NO VIOLATIONS
11/15/15	15-37477	Liquor Inspection (Road Patrol- Weingart)	NO VIOLATIONS
11/17/15	15-37727	Compliance Test (DPU) Sale to Minor	VIOLATION

*this
incident*



MEMORANDUM

TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LEB*
Julie Quinlan Dufrane, Assistant City Attorney *JQD*
DATE: March 4, 2016
SUBJECT: Liquor Violation Hearing – California Pizza Kitchen

On February 25, 2015, the Troy Police Department conducted underage decoy inspections for liquor licensed establishments in the City of Troy. The team went to California Pizza Kitchen, a restaurant located at 2800 W. Big Beaver Road at Somerset Mall, where an underage minor decoy was served a draft beer. The person who served the alcoholic drink to the minor pled responsible to the charge of *furnishing, sale to person under 21*, and was fined \$100 on March 4, 2015. A copy of the reports documenting the alleged violation is attached to this memo as well as a copy of the licensee's history.

California Pizza Kitchen has a Class C liquor license which means alcohol is served to patrons for consumption on the premises. Under MCL 436.1501, on premises liquor licenses are automatically renewed on a yearly basis unless the local legislative body (City Council) objects on or before March 30 of each year. A liquor license violation, such as the sale of alcohol to a minor, could serve as a basis for objecting to the automatic renewal of the liquor license, as the possession of Class C license is a privilege. The licensee is entitled to a due process hearing which provides the licensee an opportunity to challenge the violation. In the due process hearing, the City has the obligation to prove that there was a violation. The liquor violation hearing is scheduled in advance, with notice sent by certified mail to the licensee.

It should be noted that the licensee entered a plea of acknowledgement to the violation and entered into a negotiated settlement with the Michigan Liquor Control Commission (MLCC) which ordered the licensee to pay a \$500 fine.

Please let us know if you have any questions.



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)

7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1998)

This report is not to be faxed or electronically submitted - an original signature is required.

*** OFFICERS please obtain License No., Bus. ID and File # directly from the liquor license ***

License Number 211742-2014 SS	Business ID 157676	File Number D74023/132.5
Name of Licensee CALIFORNIA PIZZA KITCHEN INC	Doing Business As CALIFORNIA PIZZA KITCHEN	
Mailing Address (street, city, zip code) 2800 West Big Beaver Road; Troy, Michigan 48084		
Township	County Oakland	
Type of License(s) & Permit(s) Class C Resort 05/01/14-04/30/15		
Date of violation:	Day Wednesday	Date 02/25/15
		Time 1639

Violation Type: Minor Intoxicated Person Gambling Controlled Substances
 Prohibited Conduct Failure to Cooperate Fighting (must be inside licensed premises)
 After Hours Sales / Consumption Other (explain):

If MINOR: Birth date 05/05/96 Was this a DECOY? Yes No If No, you MUST answer below!
 If above minor violation was NOT a decoy, describe enforcement action taken:

NOTE! COPY OF APPEARANCE TICKET MUST BE ATTACHED.

Submit Report Below or Indicate Attached Report Number 15-5725

*** REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.***

Officer Signature _____ Name and Title Sergeant Nathan Gobler
 Officer Signature J.S. Bordo Name and Title Officer Victor Bordo
 Officer Signature Gregory Stopczynski Name and Title Officer Gregory Stopczynski
 Department Name Troy Police Department Telephone Number 248-524-3477

WITNESSES

- Name Decoy _____ Address 500 West Big Beaver Road
Will testify to: Minor who purchased alcohol
- Name Kyle Deschaepmeester Address _____
Will testify to: Served alcohol to minor
- Name Mike Howell Address _____
Will testify to: Manager of restaurant
- Name _____ Address _____
Will testify to:
- Name _____ Address _____
Will testify to:

EVIDENCE

Location Held (Explain) Receipt; draft beer left at restaurant

CR No: 150005725-001 	Report Type: Crime Report	Officer: TRBORDOV (101240)	001
---	------------------------------	-------------------------------	------------

TROY PD
500 W. BIG BEAVER
TROY MI 48084
248-524-3477



Case Report

Administrative Details:

CR No 150005725-001	Subject 4171 - Violation of Liquor Control Laws [41001]
Report Date/Time 02/20/2015 00:58	Occurrence Date/Time 02/20/2015 00:58
Location 2800 W BIG BEAVER RD	Call Source FIELD INITIATED
Dispatched Offense C3309 LIQUOR INSPECT	Verified Offense 4171 Violation of Liquor Control Laws
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol DPU	
Report Type Crime Report	
Created By VICTOR BORDO	Created Date/Time 02/25/2015 09:21 PM
Verified By SYSTEM	Verified Date/Time 02/26/2015 12:39 PM

CR No: 150005725-001 	Report Type: Crime Report	Officer: TRBORDOV (101240)	001
---	------------------------------	-------------------------------	-----

Offenses:

4171 - Violation of Liquor Control Laws [TRBORDOV (101240)]			
IBR Code / IBR Group 90G - Liquor Law Violations / B		Offense File Class 41001 - LIQUOR LICENSE -ESTABLISHMENT	
Crime Against SO		Location Type 21 - Restaurant	Offense Completed Completed
Domestic Violence No		Hate/Bias 00 - None (No Bias)	
Using A-Alcohol: No C-Computer Equipment: No D-Drugs/Narcotics: No			Cargo Theft

People:

DECOY (W-WITNESS) [TRBORDOV (101240)]										
PE:	W.Type: EY	Last Name [REDACTED]			First Name Decoy			Middle Name	Suffix	Mr/Mrs/Ms
DOB (Age) 05/05/1996 (18)		Sex M	Race WHITE		Ethnicity	Birth City & State	Birth Country	Country of Citizenship		
Street Address 500 W Big Beaver Rd				Apt #	County	Country	Home Phone	Work Phone		
City Troy				State MI	Zip 48084	Cell Phone	Email			

HOWELL, MIKE (O-OTHER) (X-MISCELLANEOUS) [TRBORDOV (101240)]										
PE:	W.Type:	Last Name Howell			First Name Mike			Middle Name	Suffix	Mr/Mrs/Ms
DOB (Age)		Sex M	Race WHITE		Ethnicity	Birth City & State	Birth Country	Country of Citizenship		
Street Address 2800 W Big Beaver Rd				Apt #	County	Country	Home Phone	Work Phone		
City Troy				State MI	Zip 48084	Cell Phone	Email			

Phone/Email

Type	Description
BU-Business Phone #1	248 816-0900

DESCHAEPMEESTER, KYLE JORDAN (O-OTHER) [TRBORDOV (101240)]										
PE:	W.Type:	Last Name DESCHAEPMEESTER			First Name KYLE			Middle Name JORDAN	Suffix	Mr/Mrs/Ms
Aliases				Driver License# [REDACTED]			DL State MI	DL Country	Personal ID#	
DOB (Age) [REDACTED] (20)		Sex M	Race WHITE		Ethnicity	Birth City & State	Birth Country	Country of Citizenship		
Street Address [REDACTED]				Apt #	County	Country	Home Phone	Work Phone		
City [REDACTED]				State MI	Zip [REDACTED]	Cell Phone	Email			

Property:

1812 - Receipt 5448 [TRBORDOV (101240)]					
Property Class 48		IBR Type 48 - Documents/Personal or Business		UCR Type K - Miscellaneous	
Status			Count	Value	

CR No: 150005725-001 	Report Type: Crime Report	Officer: TRBORDOV (101240)	001
---	------------------------------	-------------------------------	------------

E - Evidence (Including Other Seized Property And Tools)		1	1
Description Receipt		Disposition	Evidence Tag 150005725.001
Recovered Date/Time	Location	Owner P,	

Narrative:

On February 25, 2015 the Directed Patrol Unit conducted Liquor Control Commission compliance checks using minor decoys. The driver's license for each decoy was kept inside of the Troy Police Department for the duration of this assignment.

At approximately 1639 decoy [redacted] went into the California Pizza Kitchen inside of the Somerset Collection located at 2800 West Big Beaver Road. [redacted] sat at the bar and ordered a draft beer from the bartender, later identified as Mr. Kyle Deschaepmeester. After Deschaepmeester served the beer to the decoy without checking his identification, I entered the bar at which point [redacted] identified the bartender who had served him.

Both Deschaepmeester and the general manager, Mr. Mike Howell, were advised that a violation had occurred. I also advised Deschaepmeester that he would be receiving a ticket via certified mail. The draft beer was left at the restaurant. Deschaepmeester was issued citation 15TR02038 for Furnishing, Sale To Persons Under 21 And/Or Failure To Inquire As To Age During Enforcement Action. The ticket was mailed to Deschaepmeester's home address.

The receipt of the sale was tagged as evidence and placed into property.

I completed a violation report, which will be forwarded to the Michigan Liquor Control Commission.

No further action was taken.

**NARRATIVE REPORT
 WITNESS STATEMENT**

01	DATE 02/23/15	DAY WED	SHIFT 014	PLAT 014	BADGE 1 104	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 15	INCIDENT # 5725
----	------------------	------------	--------------	-------------	----------------	---------	---	------------	------------	--------------------

02 Name: [REDACTED] DOB: 5/5/96 Home Phone: [REDACTED]

03 Address: 500 W. Big Beaver Business Phone:

04 City: Troy State: MI Zip: 48085

05 E-mail Address: Cell Phone: [REDACTED]

06 I walked into California Pizza Kitchen in Somerset
 07 mall at 4:30. I ordered a draft from the bartender
 08 He was tall, blonde, medium build. Gave the beer
 09 to me and did not ask for any I.D.

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25
26

27 X: [REDACTED]
 (SIGNATURE)

28 Taken By: [Signature]
 (SIGNATURE)

29 Place: Date: Time:

INVESTIGATING OFFICER(S) <u>Dorson</u>	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
---	-------------	---------------------	--------------

**State of Michigan
Uniform Law Citation**

Ticket No. **15TR02038** Victim Involved

US DOT # _____ Incident No. **15-5725** Dept. No. **6378400 (TR-TR)****

The People of: the State of Michigan
 Township City Village County

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC _____ 1 of 1

THE UNDERSIGNED SAYS THAT ON: Month **02** Day **25** Year **15** At approximately **04:39** A.M. P.M. Date of Birth _____

State **MI** Oper./Chauff. CDL Driver License Number _____ SSN (last 4 digits) _____

Race **W** Sex **M** Height **6' 05"** Weight **185** Hair _____ Eyes **BLU** Occupation/Employer _____

Name (First, Middle, Last) **KYLE JORDAN DESCHAEPMEESTER**

Street _____

City _____ State **MI** Zip Code _____

Vehicle Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____ Ver. 1/3/00 _____

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
UPON **2800 W BIG BEAVER RD**
AT OR NEAR **CALIFORNIA PIZZA KITCHEN**
WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
COUNTY OF **OAKLAND** DID THE FOLLOWING

Type	MCL Cite/PACC Code/ Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend. 9300556	FURNISHING, SALE TO PERSONS UNDER 21 AND/OR FAILURE TO INQUIRE AS TO AGE DURING ENFORCEMENT ACTION	1
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s)
1 98.10.14 2 3

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks:

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate
Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
Appearance Date on or before **MARCH 11, 2015 @ 8:30 A.M.**
Hearing Date (if applicable) on _____ Contact Court
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52ND DISTRICT COURT** Court of **TROY**
Court Address & Phone Number **52ND DISTRICT COURT, 4TH DIVISION
520 WEST BIG BEAVER ROAD
(248) 528-0400 TROY, MI 48084**

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable **BORDO** Month **02** Day **25** Year **15**

Officer's Name (printed) **BORDO** Officer's ID No. **104**

Agency ORI **MI- 6378400** Agency Name **TROY PD**

UC-01a **Online payment Web site: https://courts.oakgov.com/OakEtix/**
(rev. 6/05)

Ticket
15TR02038
Name
DESCHAEPMEESTER, KYLE
Case No.



Server: KYLE 02/25/201
Table 3/1 4:39 P
Guests: 1 1100Z
Order Type: Dine In

Local Draft 1 6.6

We would love to hear from you! Go to
www.cpksurvey.com in the next two days
and tell us about your experience at CPK
and enter to win \$500.00 from our Weekly
Sweepstakes Drawing!
Enter code:

| 261 012 002 051 211 |

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official rules.

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questions by calling 800-91-WECARE
or visit cpk.com

Subtotal 6.
Tax 0.
Total 6.
Balance Due \$ 6.6

For your convenience, suggested gratuit
calculated on total check; after tax,
before adjustments, offers or discounts

15% Tip = 1.00
18% Tip = 1.20
20% Tip = 1.33



Case #: 15TR02038 **Case Type:** ON **Case Status:** CLSD

Header Information

STATE OF MICHIGAN	CASE NO: 15TR02038 D01 ON
52-4 JUDICIAL DISTRICT REGISTER OF ACTIONS	
ORI630165J	STATUS: CLSD 03/04/15
PIN: 15-0005725	

JUDGE OF RECORD:
JUDGE:

Party Information

CITY OF TROY v

DESCHAEPMEESTER/KYLE/JORDAN



CTN:

TCN:

SID:

ENTRY DATE: 02/26/15

OFFENSE DATE: 02/25/15 439 PM

VEHICLE TYPE:

VPN:

VEH YR: VEH MAKE:

VIN:

PAPER PLATE:

OFFICER: BORDO - TROY PD

|DEPT: TROY PD

PROSECUTOR:

|VENUE: CITY OF TROY

Charges

COUNT 1 C/M/F: C 9300556

PACC#436.1701 (1)

SALE OF ALC U/21-ENF ACTION-ORDINANCE

ARRAIGNMENT DATE:

PLEA: ADMIT RESPON

PLEA DATE: 03/04/15

FINDINGS: JDGMNT RNRDR DISPOSITION DATE: 03/04/15

SENTENCING DATE: 03/04/15

FINE	COST	ST.COST	CON	MISC.	REST	TOT FINE	TOT DUE
90.00	0.00	10.00	0.00	0.00	0.00	100.00	0.00

JAIL SENTENCE:

PROBATION:

VEH IMMOB START DATE:

NUMBER OF DAYS:

VEH FORFEITURE:

Events

DATE	ACTIONS, JUDGMENTS, CASE NOTES	INITIALS
02/25/15		



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

IN RE: CALIFORNIA PIZZA KITCHEN, INC.
D/B/A CALIFORNIA PIZZA KITCHEN
SOMERSET COLLECTION NORTH
2800 W BIG BEAVER, SPACE N 126
TROY, MI 48084

COMPLAINT NO. 5-170525

BUSINESS ID NO. 157676
CC RES SS(PM)
SPECIFIC PURPOSE PERMIT(FOOD)

CHARGES - FEBRUARY 25, 2015

- (1) Sold or furnished alcoholic liquor to unnamed minor, [redacted] date of birth May 5, 1996, who was less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

NEGOTIATED SETTLEMENT

The Commissioner has before him, a written Stipulated Agreement in the matter of Complaint No. 5-170525, California Pizza Kitchen, INC., the above-named licensee. The stipulated settlement was signed by Susan Moody-Frezza, Assistant Attorney General who represented all law enforcement in this matter, and J. Patrick Howe, Attorney for the Licensee.

Having reviewed the stipulated settlement in all its terms, the Commissioner accepts the settlement as stated and incorporates by reference the signed document of Case No. 5-170525.

The Commissioner, therefore, issues this:

ORDER

- (1) The Commissioner accepts the Licensee's plea of acknowledgment to the single charge, cited above;

(2) The Violation Report of this case, the Stipulated Agreement and the balance of the Michigan Liquor Control Commission (Commission) file in this matter are entered into the record as substantive evidence;

(3) The Commissioner further has taken notice of the prior record of this Licensee, which shows no prior violations since securing Commission licensure on April 23, 2012, at the above-named location under the current ownership;

(4) The Licensee is hereby Ordered to pay the sanction of a fine of \$500 for the one acknowledged charge, cited above, as penalty;

(5) The Licensee violated MCL 436.1801(2), as cited in the complaint in this matter;

(6) The Commissioner further Orders a suspension of twenty-five (25) continuous days if the total fine of \$500 is not paid within forty-five (45) days from the mailing date of this Order. This suspension, if served, shall run consecutively and not concurrently with any other suspension ordered by the Commission for this Licensee;

(7) The Commissioner also finds that Investigator Officer Gregory Stopczynski, of the Troy Police Department, has been consulted and has agreed with the terms of this Negotiated Settlement; and

(8) The Licensee agrees that this Negotiated Settlement was a full and final disposition of this matter before the Commission. The Licensee recognizes that, as to this complaint, there is no further right of administrative or judicial appeal; to either the Commission or a court of law. The Licensee also agrees that the plea in this case was entered voluntarily

and with the full understanding of all consequences. Furthermore, all parties agree that there are no promises, stipulations, understandings or agreements other than those stated above as part of the official record. This document represents the final agreed settlement.

MICHIGAN LIQUOR CONTROL COMMISSION



Edward D. Clemente, Commissioner

Date Mailed: JUN 02 2015

Susan Moody-Frezza
Assistant Attorney General
25680 W 8 Mile Rd.
Southfield, MI 48033

J. Patrick Howe
Attorney at Law
450 West Fourth Street
Royal Oak, MI 48067-2557

EDC: 5-170525/cmr

LCC

Liquor Licensee History

Business name: **California Pizza Kitchen, Inc.**

Address: 2800 W. Big Beaver, Space N 126 (248) 816-0900

Licensee: California Pizza Kitchen, Inc.

License type: **Class C Resort**

Permits: Sunday Sales, Food

Comments: Somerset Collection North.

Date	Troy Incident #	Type	Disposition	Date
07/22/96		Council Recommends License.		
5/13/98	98-18231	Sale to Minor (Compliance Insp)	Fined \$500.	7/22/98
01/06/99	99-00808	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/14/99	99-02126	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/10/99	99-05646	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/23/99	99-23840	Compliance Test	PASSED	
11/23/99	none	Compliance Test	PASSED	
05/11/00	00-15233	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/26/00	none	Compliance Test	PASSED	
08/07/00	00-28922	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/31/00	00-32367	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/25/00	00-39547	Compliance Test	PASSED	
10/26/00	00-39666	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/17/00	00-42563	Compliance Test	PASSED	
05/03/01		Compliance Test	PASSED	
08/17/01	01-29638	Compliance Test	PASSED	
10/05/01	01-36163	Compliance Test	PASSED	
10/31/01	01-39156	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/11/02	02-04475	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/01/02	02-06515	Compliance Test	PASSED	

03/11/02	02-07627	Liquor Inspection (Road Patrol)	NO VIOLATIONS
04/17/02	02-11794	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/28/02	02-20747	Compliance Test	PASSED
07/03/02	02-21412	Liquor Inspection (Road Patrol)	NO VIOLATIONS
10/18/02	02-	Compliance Test	PASSED
12/09/02	02-39864	Liquor Inspection (Road Patrol-LaForest/Bordo)	NO VIOLATIONS
02/28/03	03-5726	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS
03/14/03	03-7666	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS
04/25/03	03-12382	Compliance Test	PASSED
06/16/03	03-18050	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS
06/26/03	03-19497	Compliance Test	PASSED
07/28/03	03-23289	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS
08/19/03	03-25904	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS
10/28/03	03-33308	Compliance Test	PASSED
11/12/03	03-34860	Liquor Inspection (Road Patrol-Pizzorni)	NO VIOLATIONS
01/13/04	04-01212	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
02/24/04	04-05559	Liquor Inspection (Road Patrol-Pizzorni)	NO VIOLATIONS
03/23/04	04-08542	Compliance Test	PASSED
04/16/04	04-10914	Liquor Inspection (Road Patrol-Pizzorni)	NO VIOLATIONS
05/13/04	04-13923	Liquor Inspection (Road Patrol-Pizzorni)	NO VIOLATIONS
06/30/04	04-19534	Compliance Test	PASSED
08/25/04	04-26434	Liquor Inspection (Road Patrol-Pizzorni)	NO VIOLATIONS
11/12/04	04-35987	Liquor Inspection (Road Patrol- Langbeen)	NO VIOLATIONS
01/28/05	05-03219	Liquor Inspection (Road Patrol-Daniels)	NO VIOLATIONS
03/04/05	05-07340	Compliance Test	PASSED
03/11/05	05-08082	Liquor Inspection (Road Patrol-Daniels)	NO VIOLATIONS
06/24/05	05-21534	Liquor Inspection (Road Patrol- Galich)	NO VIOLATIONS
08/06/05	05-27510	Liquor Inspection (Road Patrol- Galich)	NO VIOLATIONS
09/23/05	05-33754	Liquor Inspection (Road Patrol- Galich)	NO VIOLATIONS
03/20/06	06-10589	Liquor Inspection (Road Patrol- Broderick)	NO VIOLATIONS

07/26/06		Compliance Test	PASSED
12/01/06	06-45342	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS
01/24/07		Compliance Test	PASSED
01/31/07	07-3832	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS
03/21/07	07-10445	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS
05/10/07	07-17198	Compliance Test	PASSED
05/30/07	07-19911	Liquor Inspection (Road Patrol- Mairorano)	NO VIOLATIONS
07/23/07	07-27660	Liquor Inspection (Road Patrol- Mairorano)	NO VIOLATIONS
09/20/07	07-35993	Liquor Inspection (Road Patrol- Mairorano)	NO VIOLATIONS
10/18/07	07-32148	Compliance Test	PASSED
12/06/07	07-45829	Compliance Test - Sale to Minor (DPU)	Violation
01/31/08		Dist Ct	Pending
01/10/08		MLCC Hearing Violation Upheld	\$600 Fine
02/20/08		Council orders training: proofs received	
01/28/08	08-3455	Liquor Inspection (Road Patrol- Mairorano)	NO VIOLATIONS
02/21/08	08-6582	Compliance Test	PASSED
05/05/08	08-15718	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
05/21/08	08-17718	Compliance Test	PASSED
07/21/08	08-25576	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
09/01/08	08-30662	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
10/02/08	08-34258	Compliance Test	PASSED
10/22/08	08-36656	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
12/30/08	08-44442	Compliance Test	PASSED
01/04/09	09-442	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
03/01/09	09-6912	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
04/01/09	09-10213	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS
05/07/09	09-	Compliance Test	PASSED
07/10/09	09-21782	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS
09/12/09	09-28954	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS
10/28/09	09-33771	Compliance Test	PASSED
12/17/09	09-39215	Compliance Test	PASSED
12/29/09	09-40461	Liquor Inspection (Road Patrol- Mairorano)	NO VIOLATIONS

04/16/10	10-10761	Liquor Inspection (Road Patrol-Giovannoni)	NO VIOLATIONS
07/01/10	10-19423	Liquor Inspection (Road Patrol-Giovannoni)	NO VIOLATIONS
07/19/10	10-21140	Compliance Test	PASSED
09/02/10	10-26837	Liquor Inspection (Road Patrol-Giovannoni)	NO VIOLATIONS
10/27/10	10-32814	Compliance Test	PASSED
11/02/10	10-33709	Liquor Inspection (Road Patrol-Morgan)	NO VIOLATIONS
12/15/10	10-38395	Compliance Test	PASSED
01/07/11	11-648	Liquor Inspection (Road Patrol-Morgan)	NO VIOLATIONS
02/25/11	11-5893	Liquor Inspection (Road Patrol-Morgan)	NO VIOLATIONS
05/05/11	11-12961	Compliance Test	PASSED
06/11/11	11-16890	Liquor Inspection (Road Patrol-Allan)	NO VIOLATIONS
07/17/11	11-20823	Liquor Inspection (Road Patrol-Allan)	NO VIOLATIONS
09/11/11	11-27003	Liquor Inspection (Road Patrol-Allan)	NO VIOLATIONS
10/18/11	11-31106	Liquor Inspection (Road Patrol-Satterfield)	NO VIOLATIONS
01/02/12	12-162	Liquor Inspection (Road Patrol-Satterfield)	NO VIOLATIONS
03/03/12	12-6884	Liquor Inspection (Road Patrol-Satterfield)	NO VIOLATIONS
05/10/12	12-14784	Compliance Test	PASSED
08/28/12	12-28821	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
11/12/12		Compliance Test	PASSED
01/02/13	13-203	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
03/19/13		Compliance Test	PASSED
06/10/13	13-18067	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
07/28/13	13-23764	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
09/18/13	13-29843	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
11/04/13	13-34938	Compliance Test	PASSED
11/06/13	13-35237	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS
01/12/14	14-1473	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS
03/01/14		Compliance Test	PASSED
03/08/14	14-7365	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS
05/08/14	14-13591	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS
06/19/14	14-18442	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS

08/01/14	14-23495	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS
09/18/14	14-28816	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS
12/31/14	14-40075	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS
02/25/15	15-5725	Compliance Test (DPU) Sale to Minor	VIOLATION <i>this incident</i> Fined \$500
02/26/15	15-6545	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS
03/21/15	15-9333	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS
05/03/15	15-14272	Liquor Inspection (Road Patrol-Hill)	NO VIOLATIONS
07/15/15	15-23223	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS
09/06/15	15-29377	Liquor Inspection (Road Patrol-Hill)	NO VIOLATIONS
11/24/15	15-38523	Compliance Test	PASSED
12/16/15	15-40931	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS



MEMORANDUM

TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LB*
Julie Quinlan Dufrane, Assistant City Attorney *JQD*
DATE: March 4, 2016
SUBJECT: Liquor Violation Hearing – Babylon Restaurant Group, Inc. d/b/a The Melting Pot

On February 20, 2015, the Troy Police Department conducted underage decoy inspections for liquor licensed establishments in the City of Troy. The team went to The Melting Pot, a restaurant located at 888 W. Big Beaver Road, where an underage minor decoy was served a mixed alcoholic drink. The person who served the alcoholic drink to the minor pled responsible to the charge of *furnishing, sale to person under 21*, and was fined \$100 on April 7, 2015. A copy of the reports documenting the alleged violation is attached to this memo as well as a copy of the licensee's history.

The Melting Pot has a Class C liquor license which means alcohol is served to patrons for consumption on the premises. Under MCL 436.1501, on premises liquor licenses are automatically renewed on a yearly basis unless the local legislative body (City Council) objects on or before March 30 of each year. A liquor license violation, such as the sale of alcohol to a minor, could serve as a basis for objecting to the automatic renewal of the liquor license, as the possession of Class C license is a privilege. The licensee is entitled to a due process hearing which provides the licensee an opportunity to challenge the violation. In the due process hearing, the City has the obligation to prove that there was a violation. The liquor violation hearing is scheduled in advance, with notice sent by certified mail to the licensee.

It should be noted that the licensee acknowledged the violation and entered into a negotiated settlement at the Michigan Liquor Control Commission (MLCC) which imposed a \$600 fine.

Please let us know if you have any questions.



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)

7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1998)

This report is not to be faxed or electronically submitted - an original signature is required.

*** OFFICERS please obtain License No., Bus. ID and File # directly from the liquor license ***

License Number	132488-2014, 132489-2014	Business ID	155741	File Number	D70057/132.5
Name of Licensee	Babylon Restaurant Group, Inc.	Doing Business As	THE MELTING POT		
Mailing Address (street, city, zip code)	888 West Big Beaver Road; Suite 119; Troy, Michigan 48084				
Township	County Oakland				
Type of License(s) & Permit(s)	class C, SDM Effective 05/01/14; Expires 04/30/15				
Date of violation:	Day Friday	Date	02/20/15	Time	1630

Violation Type: Minor Intoxicated Person Gambling Controlled Substances
 Prohibited Conduct Failure to Cooperate Fighting (must be inside licensed premises)
 After Hours Sales / Consumption Other (explain):

If MINOR: Birth date 05/05/96 Was this a DECOY? Yes No If No, you MUST answer below!
 If above minor violation was NOT a decoy, describe enforcement action taken:

NOTE! COPY OF APPEARANCE TICKET MUST BE ATTACHED.

Submit Report Below or Indicate Attached Report Number 15-5739

*** REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.***

Officer Signature _____
 Officer Signature _____
 Officer Signature _____
 Officer Signature _____
 Department Name Troy Police Department

Name and Title Sergeant Nathan Gobler
 Name and Title Officer Victor Bordo
 Name and Title Officer Patrick McWilliams
 Name and Title Officer Gregory Stopczynski
 Telephone Number 248-524-3477

WITNESSES

- Name Decoy _____
Will testify to: Minor who purchased alcohol
- Name Brandon Benson
Will testify to: Bartender; sold alcohol to minor
- Name Matthew Carlotta
Will testify to: Restaurant manager on duty
- Name _____
Will testify to: _____
- Name _____
Will testify to: _____

Address 500 West Big Beaver Road, Troy MI 48084

Address _____

Address _____

Address _____

Address _____

EVIDENCE

Location Held (Explain) Receipt for cocktail
LC-600 Rev. 03/05 4880-2362

CR No: 150005739-001 	Report Type: Crime Report	Officer: TRBORDOV (101240)	001
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TROY PD
500 W. BIG BEAVER
TROY MI 48084
248-524-3477



Case Report

Administrative Details:

CR No 150005739-001	Subject 4171 - Violation of Liquor Control Laws [41001]
Report Date/Time 02/20/2015 01:10	Occurrence Date/Time 02/20/2015 01:10
Location 888 W BIG BEAVER RD	Call Source FIELD INITIATED
Dispatched Offense C3309 LIQUOR INSPECT	Verified Offense 4171 Violation of Liquor Control Laws
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol DPU	
Report Type Crime Report	
Created By VICTOR BORDO	Created Date/Time 02/20/2015 09:04 PM
Verified By SYSTEM	Verified Date/Time 02/24/2015 02:23 PM

CR No: 150005739-001 	Report Type: Crime Report	Officer: TRBORDOV (101240)	001
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Offenses:

4171 - Violation of Liquor Control Laws [TRBORDOV (101240)]			
IBR Code / IBR Group 90G - Liquor Law Violations / B		Offense File Class 41001 - LIQUOR LICENSE -ESTABLISHMENT	
Crime Against SO	Location Type 21 - Restaurant	Offense Completed Completed	
Domestic Violence No	Hate/Bias 00 - None (No Bias)		
Using A-Alcohol: No C-Computer Equipment: No D-Drugs/Narcotics: No		Cargo Theft	

People:

ECOY (W-WITNESS) [TRBORDOV (101240)]

PE:	W.Type: EY	Last Name		First Name Decoy		Middle Name	Suffix	Mr/Mrs/Ms
DOB (Age) 05/05/1996 (18)	Sex M	Race WHITE		Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address 500 W Big Beaver Rd			Apt #	County	Country	Home Phone	Work Phone	
City Troy			State MI	Zip 48084	Cell Phone	Email		

BENSON, BRANDON JAMES (O-OTHER) [TRBORDOV (101240)]

PE:	W.Type:	Last Name Benson		First Name Brandon		Middle Name James	Suffix	Mr/Mrs/Ms
DOB (Age) [REDACTED] B (21)	Sex M	Race WHITE		Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address [REDACTED]			Apt #	County	Country	Home Phone	Work Phone	
City [REDACTED]			State MI	Zip [REDACTED]	Cell Phone [REDACTED]	Email [REDACTED]		

CARLOTTA, MATTHEW (O-OTHER) (X-MISCELLANEOUS) [TRBORDOV (101240)]

PE:	W.Type:	Last Name Carlotta		First Name Matthew		Middle Name	Suffix	Mr/Mrs/Ms
DOB (Age) [REDACTED] (31)	Sex M	Race WHITE		Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address [REDACTED]			Apt #	County	Country	Home Phone	Work Phone	
City [REDACTED]			State MI	Zip [REDACTED]	Cell Phone [REDACTED]	Email [REDACTED]		

Phone/Email

Type	Description
BU-Business Phone #1	248 362-2221

STOPCZYNSKI, GREGORY (O-OTHER) (L-POLICE OFFICER) [TRBORDOV (101240)]

PE:	W.Type:	Last Name Stopczynski		First Name Gregory		Middle Name	Suffix	Mr/Mrs/Ms
DOB (Age)	Sex	Race UNKNOWN		Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address 500 W BIG BEAVER RD			Apt #	County OAKLAND	Country USA	Home Phone	Work Phone	
City [REDACTED]			State	Zip	Cell Phone	Email		

CR No: 150005739-001 	Report Type: Crime Report	Officer: TRBORDOV (101240)	001
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Troy	Mi	48084-5254	
Phone/Email			
Type		Description	
BU-Business Phone #1		248-524-3477	

Property:			
1812 - Receipt 5448 [TRBORDOV (101240)]			
Property Class 48	IBR Type 48 - Documents/Personal or Business	UCR Type K - Miscellaneous	
Status E - Evidence (Including Other Seized Property And Tools)	Count 1	Value 1	
Description Receipt	Disposition	Evidence Tag 150005739.001	
Recovered Date/Time	Location	Owner PL	
Notes Melting Pot receipt			

Narrative:
<p>On February 20, 2015 the Directed Patrol Unit was conducting Liquor Control Commission checks with minor decoy [redacted]. His driver's license was stored inside of the Troy Police Department for the duration of this assignment.</p> <p>At approximately 1630 [redacted] entered The Melting Pot restaurant located at 888 West Big Beaver Road. [redacted] went to the bar and was waited on by the lone bartender, later identified as Mr. Brandon Benson. [redacted] ordered a Hennessy and Coke mixed drink. Benson did not ask for the decoy's identification and served him the drink.</p> <p>After the violation, I entered the bar and [redacted] identified Benson as the employee who had served him alcohol. I advised both Benson and one of the managers, Mr. Matthew Carlotta, that he had served alcohol to a minor. Although [redacted] did not actually pay for the drink, I received a copy of the receipt.</p> <p>Officer Stopczynski issued Benson citation 15TR01839 for Furnishing, Sale To Persons Under 21 And/Or Failure To Inquire As To Age During Enforcement Action. The \$6.89 drink receipt was tagged as evidence and placed into property. The mixed drink itself was left at the scene. I completed a violation report to be forwarded to the Michigan Liquor Control Commission.</p> <p>No further action was taken.</p>

**NARRATIVE REPORT
 WITNESS STATEMENT**

SUPP CORR DELETE PAGE 1 OF 1

01	DATE 6/2/2015	DAY FR	SHIFT 6H	PLAT 014	BADGE 1 109	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 15	INCIDENT # 5739
----	------------------	-----------	-------------	-------------	----------------	---------	---	------------	------------	--------------------

02 Name: [REDACTED] DOB: 5/5/96 Home Phone: [REDACTED] 18

03 Address: 500 W. Big Beaver (PLEASE PRINT) Business Phone:

04 City: Troy State: MI Zip: 48065

05 E-mail Address: Cell Phone:

06 Walked into the melting pot at 4:30 pm on
 07 February 20, 2015. Asked for the location of the
 08 bar, waited for a bar tender. A male, medium
 09 build, ~~with~~ asked me for my order. The bar tender
 10 was in all black clothing. I asked for a drink
 11 special, the bar tender said they didnt have any. I asked
 12 for Hennessy and Coke mix, he served it to me.

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27 X: [REDACTED]
 (SIGNATURE)

28 Taken By: J. Brown
 (SIGNATURE)

29 Place: Date: Time:

INVESTIGATING OFFICER(S) <u>Brown #109</u>	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
---	-------------	---------------------	--------------

**State of Michigan
Uniform Law Citation**

Ticket No. **15TR01839** ** Victim Involved

US DOT # _____ Incident No. **15-5730** Dept. No. **6378400 (TR-TR)**** (

The People of: the State of Michigan
 Township City Village County

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC _____ 1 of 1

THE UNDERSIGNED SAYS THAT ON: Month **02** Day **20** Year **15** At approximately A.M. P.M. Date of Birth _____

State Oper./Chauff. CDL Driver License Number _____ SSN (last 4 digits) _____

Race **W** Sex **M** Height **5' 08"** Weight **145** Hair _____ Eyes **BRO** Occupation/Employer _____

Name (First, Middle, Last) **BRANDON JAMES BENSON**

Street _____

City _____ State **MI** Zip Code _____

Vehicle Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____ Ven. type _____

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
UPON **888 W. BIG BEAVER**
AT OR NEAR **CROOKS**
WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
COUNTY OF **OAKLAND** DID THE FOLLOWING

Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Warn <input type="checkbox"/> Fug <input type="checkbox"/> Waiv 9300556	<input type="checkbox"/> Authorization pend. FURNISHING, SALE TO PERSONS UNDER 21 AND/OR FAILURE TO INQUIRE AS TO AGE DURING ENFORCEMENT ACTION	1
<input type="checkbox"/> C/I <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Warn <input type="checkbox"/> Fug <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.	2
<input type="checkbox"/> C/I <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Warn <input type="checkbox"/> Fug <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.	3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s)
1 98.10.14 2 3

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: **MELTING POT**

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate
Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
Appearance Date on or before **03/04/2015 8:30AM**

Hearing Date (if applicable) on _____ Contact Court
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52ND DISTRICT COURT** Court of **TROY**

Court Address & Phone Number **52ND DISTRICT COURT, 4TH DIVISION
520 WEST BIG BEAVER ROAD
(248) 528-0400 TROY, MI 48084**

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable). I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable: **G. STOPCZYNSKI** Month **02** Day **20** Year **15**

Officer's Name (printed): **G. STOPCZYNSKI** Officer's ID No. **66**

Agency ORI **MI- 6378400** Agency Name **TROY PD**

UC-01a Online payment Web site: <https://courts.oakgov.com/OakEtix/>
(rev. 6/05) ** Revised: ci

Ticket No. **15TR01839**
Name **BENSON, BRANDON**
Case No.

The Melting Pot Restaurant
A Fondue Restaurant

Donation for St. Jude \$_____

Server: Bar	02/20/2015
Fast Close/1	4:50 PM
Guests: 0	30005

Hennessy VS	6.50
-------------	------

Subtotal	6.50
----------	------

Tax	0.39
-----	------

Total	6.89
-------	------

Balance Due	6.89
--------------------	-------------

Win Fondue for a Year!!!
Give us your feedback
Go to www.fonduesurvey.com



[New Search](#) | [Name List](#) | [Disconnect](#)

Case #: 15-001121 **Case Type:** ON **Case Status:** CLSD

Header Information

STATE OF MICHIGAN		CASE NO: 15-001121	D01 ON
52-4 JUDICIAL DISTRICT	REGISTER OF ACTIONS		
ORI630165J		STATUS: CLSD	04/07/15
PIN: 15-5730			

JUDGE OF RECORD: MGINNIS, MAUREEN M. P-66069
 JUDGE: MGINNIS, MAUREEN M. P-66069

Party Information

CITY OF TROY v

BENSON/BRANDON/JAMES

CTN:

TCN:

SID:

ENTRY DATE: 02/25/15

OFFENSE DATE: 02/20/15

VEHICLE TYPE:

VPN:

PAPER PLATE:

VEH YR: VEH MAKE:

VIN:

BAR NO.

DEFENSE ATTORNEY ADDRESS

P-21306

TAYLOR, STEPHEN M.,

Telephone No.

30300 NORTHWESTERN HWY

(248) 932-0100

STE 116

FARMINGTON HILLS MI 48334

DEPT: TROY PD

OFFICER: STOPCZYNSKI - TROY PD

|

PROSECUTOR: BLUHM, LORI GRIGG,

P-46908

VENUE: CITY OF TROY

Charges

COUNT 1 C/M/F: C 9300556

PACC#436.1701 (1)

SALE OF ALC U/21-ENF ACTION-ORDINANCE

ARRAIGNMENT DATE:

PLEA: ADMIT RESPON

PLEA DATE: 04/07/15

FINDINGS: JDGMNT RNRDR DISPOSITION DATE: 04/07/15

SENTENCING DATE: 04/07/15

FINE	COST	ST.COST	CON	MISC.	REST	TOT FINE	TOT DUE
90.00	0.00	10.00	0.00	0.00	0.00	100.00	0.00



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

IN RE: BABYLON RESTAURANT GROUP, INC.
D/B/A THE MELTING POT
888 W BIG BEAVER
TROY, MI 48084

HEARING: JUNE 3, 2015
PLACE: STERLING HEIGHTS
COMPLAINT NO. 5-170519
BUSINESS ID NO. 155741
CLASSC SDM SS(PM)

CHARGES - FEBRUARY 20, 2015

- (1) Sold or furnished alcoholic liquor to unnamed minor, [redacted] date of birth May 5, 1996, who was less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

NEGOTIATED SETTLEMENT

Aaron T. Vande Mark, a corporate officer for the above-named corporation, appeared before this Administrative Law Judge and was represented by Attorney Stephen H. Taylor. Attorney Taylor and Assistant Attorney General Susan Moody-Frezza, who represented all law enforcement agencies involved in this matter, proposed the following Negotiated Settlement for the Administrative Law Judge to consider in Case No. 5-170519, pursuant to Section 903 of the Michigan Liquor Control Code, MCL 436.1903, and Rule 436.1909 of the Michigan Liquor Control Commission (Commission):

PROPOSED NEGOTIATED SETTLEMENT

- (1) The Licensee will fully acknowledge the one charge as cited in the complaint;
- (2) The Administrative Law Judge will enter the Violation Report and its attachments into the record as substantive evidence; the Administrative Law Judge further will take notice

of the prior record of this Licensee, since being licensed by the Commission at the above-named location under the current ownership;

(3) As a penalty, the Licensee will agree to pay a fine of \$600 for the acknowledged charge in the complaint; and

(4) Both parties will agree that there shall be no appeals on this matter to the Appeal Board of the Commission or any court of law.

ORDER

In determining whether to approve the Negotiated Settlement as proposed above, the Administrative Law Judge considered the statement of support for the aforementioned settlement by Sergeant Nathan Gobler on behalf of the Troy Police Department.

In determining whether to approve the Negotiated Settlement as proposed above, the Administrative Law Judge considered the Licensee's total record, which shows one (1) previous violation since being licensed on November 19, 2004, at the above-named location under the current ownership.

In determining whether to approve the Negotiated Settlement as proposed above, the Administrative Law Judge further took into consideration, as mitigative circumstances, the statements made by the parties.

In consideration of the aforementioned circumstances and statements, the Administrative Law Judge accepts the terms and conditions of the proposed Negotiated Settlement and Orders as follows:

The Administrative Law Judge accepts the Licensee's plea of acknowledgment to one charge in Case No. 5-170519.

The Administrative Law Judge accepts the Violation Report and its attachments as substantive evidence. Further, the Administrative Law Judge accepts a true copy of this Licensee's record since being licensed by the Commission at the above-named location under the current ownership.

Based upon the aforementioned plea by the Licensee and a review of the Violation Report and its attachments, the Administrative Law Judge finds that the Licensee violated MCL 436.1801(2) as cited in the one charge in the complaint.

The Administrative Law Judge finds that, while under the direction of law enforcement, Decoy  who was eighteen (18) years of age at the time of the incident, entered the above-named licensed establishment on February 20, 2015 and purchased alcoholic liquor from an employee of the Licensee. The Administrative Law Judge further finds that the employee of the Licensee neither demanded nor was shown proper identification showing that the decoy was at least twenty-one (21) years old; however, the employee still sold alcoholic liquor to the decoy. The employee did not make a diligent inquiry to determine the true age of the purchaser.

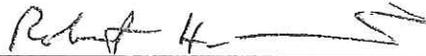
As a penalty, the Administrative Law Judge Orders a fine of \$600 for the one charge in this matter. Further, the Administrative Law Judge Orders that a suspension of thirty (30) continuous days shall be imposed if the fine is not paid, with this suspension to run consecutively and not concurrently with any other suspension Ordered by the Commission, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

Further, the Administrative Law Judge Orders that this Negotiated Settlement is a full and final disposition of this matter before the Commission, that there is no further right

of administrative or judicial appeal, either to the Commission or any court of law, that the plea in this case has been entered voluntarily and with the full understanding of all consequences, that there are no promises, stipulations, understandings or agreements other than those stated as part of the official record herein, and that this Negotiated Settlement represents the final agreed settlement.

Further, the Administrative Law Judge Orders the Licensee to pay total cost of \$7.87 for witness fees involved in connection with the hearing.

MICHIGAN LIQUOR CONTROL COMMISSION



Robert H. Mourning, Administrative Law Judge

Date Mailed: JUN 29 2015

Susan Moody-Frezza
Assistant Attorney General
25680 W 8 Mile Rd.
Southfield, MI 48033

Stephen H. Taylor
Attorney at Law
30300 Northwestern Hwy., Ste. 116
Farmington Hills, MI 48334

RHM: 5-170519/cmr

LCC

Liquor Licensee History

Business name: **The Melting Pot**

Address: 888 W. Big Beaver Rd.

Licensee: Babylon Restaurant Group, Inc.

License type: Class-C, SDM

Permits: Sunday Sales

Comments: Business Phone # (248) 362-2221

Date	Troy Incident #	Type	Disposition	Date
07/12/04		Council approves transfer of Class C and new SDM license		
07/26/06		Compliance Test	PASSED	
10/14/06	06-38236	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS	
12/20/06	06-47810	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS	
01/24/07		Compliance Test	PASSED	
02/16/07	07-5890	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS	
05/10/07	07-17232	Compliance Test	PASSED	
07/07/07	07-25425	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS	
08/20/07	07-31717	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS	
10/18/07	07-32161	Compliance Test	PASSED	
11/26/07	07-44594	Liquor Inspection (Road Patrol-Piltz)	NO VIOLATIONS	
12/06/07	07-45842	Compliance Test	PASSED	
1/15/08	08-1963	Liquor Inspection (Road Patrol- N. Pappas)	NO VIOLATIONS	
02/21/08	08-6597	Compliance Test	PASSED	
03/02/08	08-7883	Liquor Inspection (Road Patrol- N. Pappas)	NO VIOLATIONS	
04/07/08	08-12243	Liquor Inspection (Road Patrol-Brandimore)	NO VIOLATIONS	
05/21/08	08-17731	Compliance Test	PASSED	
06/24/08	08-22333	Liquor Inspection (Road Patrol-Brandimore)	NO VIOLATIONS	
08/04/08	08-27323	Liquor Inspection (Road Patrol-Brandimore)	NO VIOLATIONS	

10/02/08	08-34271	Compliance Test	PASSED
10/16/08	08-35948	Liquor Inspection (Road Patrol-Maczka)	NO VIOLATIONS
12/30/08	08-44457	Compliance Test	PASSED
01/01/09	09-80	Liquor Inspection (Road Patrol-Maczka)	NO VIOLATIONS
02/15/09	09-5472	Liquor Inspection (Road Patrol-Maczka)	NO VIOLATIONS
04/18/09	09-12052	Liquor Inspection (Road Patrol-Huck)	NO VIOLATIONS
05/05/09	09-13974	Liquor Inspection (Road Patrol-Huck)	NO VIOLATIONS
05/07/09	09-	Compliance Test	PASSED
07/20/09	09-22972	Liquor Inspection (Road Patrol-Mouch)	NO VIOLATIONS
08/08/09	09-25032	Liquor Inspection (Road Patrol-Huck)	NO VIOLATIONS
10/18/09	09-32703	Liquor Inspection (Road Patrol-McLaughlin)	NO VIOLATIONS
10/28/09	09-33785	Compliance Test	PASSED
12/01/09	09-37401	Liquor Inspection (Road Patrol-McLaughlin)	NO VIOLATIONS
12/17/09	09-39247	Compliance Test	PASSED
04/20/10	10-11186	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
06/29/10	10-19190	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
07/19/10	10-21153	Compliance Test	PASSED
08/30/10	10-26367	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
09/01/10	10-26676	Compliance Test	PASSED
10/27/10	10-32826	Compliance Test	PASSED
11/04/10	10-33979	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
12/15/10	10-38407	Compliance Test	PASSED
02/08/11	11-3908	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
03/09/11	11-7293	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
05/05/11	11-12974	Compliance Test	PASSED
06/20/11	11-17806	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS
08/09/11	11-23423	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS
08/31/11	11-25835	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS
11/09/11	11-33539	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS

12/16/11	11-36781	Sale to Minor-Compliance Test	VIOLATION Fine \$400
01/06/12	12-621	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
02/29/12	12-6525	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
05/10/12		Compliance Test	PASSED
11/12/12	12-37595	Compliance Test	PASSED
12/01/12	12-39710	Liquor Inspection (Road Patrol-Feld)	NO VIOLATIONS
02/02/13	13-3681	Liquor Inspection (Road Patrol-Feld)	NO VIOLATIONS
03/19/13	13-8522	Compliance Test	PASSED
05/14/13	13-14717	Liquor Inspection (Road Patrol-Giordano)	NO VIOLATIONS
07/23/13	13-23226	Liquor Inspection (Road Patrol-Giordano)	NO VIOLATIONS
09/17/13	13-29752	Liquor Inspection (Road Patrol-Muhlenbeck)	NO VIOLATIONS
11/04/13	13-34951	Compliance Test	PASSED
01/14/14	14-1715	Liquor Inspection (Road Patrol-Giordano)	NO VIOLATIONS
02/24/14	14-5955	Liquor Inspection (Road Patrol-Hutson)	NO VIOLATIONS
03/01/14		Compliance Test	PASSED
03/25/14	14-9181	Liquor Inspection (Road Patrol-Giordano)	NO VIOLATIONS
05/05/14	14-13313	Liquor Inspection (Road Patrol-Sinutko)	NO VIOLATIONS
06/23/14	14-18898	Liquor Inspection (Road Patrol-Sinutko)	NO VIOLATIONS
08/18/14	14-25389	Liquor Inspection (Road Patrol-Sinutko)	NO VIOLATIONS
10/21/14	14-32231	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS
12/01/14	14-36946	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS
01/19/15	15-2150	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS
02/20/15	15-5739	Compliance Test (DPU) Sale to Minor	VIOLATION Fined \$600
05/11/15	15-15321	Liquor Inspection (Road Patrol-Gentry)	NO VIOLATIONS
07/12/15	15-22840	Liquor Inspection (Road Patrol-Gentry)	NO VIOLATIONS
09/07/15	15-29510	Liquor Inspection (Road Patrol-Parra)	NO VIOLATIONS
11/11/15	15-36998	Liquor Inspection (Road Patrol-Raymer)	NO VIOLATIONS
11/18/15	15-37879	Compliance Test	PASSED

this incident



MEMORANDUM

TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LB*
Julie Quinlan Dufrane, Assistant City Attorney *JQD*
DATE: March 4, 2016
SUBJECT: Liquor Violation Hearing – Mon Jin Lau

On February 25, 2015, the Troy Police Department conducted underage decoy inspections for liquor licensed establishments in the City of Troy. The team went to Mon Jin Lau, a restaurant located at 1515 E. Maple Road, where an underage minor decoy was served a draft beer. The person who served the alcoholic drink to the minor pled responsible to the charge of *furnishing, sale to person under 21*, and was fined \$100 on March 2, 2015. A copy of the reports documenting the alleged violation is attached to this memo. We have also attached for your review a copy of the licensee's history and a prior agreement between the City of Troy and the licensee.

Mon Jin Lau has a Class C liquor license which means alcohol is served to patrons for consumption on the premises. Under MCL 436.1501, on premises liquor licenses are automatically renewed on a yearly basis unless the local legislative body (City Council) objects on or before March 30 of each year. A liquor license violation, such as the sale of alcohol to a minor, could serve as a basis for objecting to the automatic renewal of the liquor license, as the possession of Class C license is a privilege. The licensee is entitled to a due process hearing which provides the licensee an opportunity to challenge the violation. In the due process hearing, the City has the obligation to prove that there was a violation. The liquor violation hearing is scheduled in advance, with notice sent by certified mail to the licensee.

It should be noted that the licensee acknowledged the violation and entered into a negotiated settlement at the Michigan Liquor Control Commission (MLCC) which imposed a \$650 fine.

Please let us know if you have any questions.



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)

7150 Harris Drive - P.O. Box 30005
 Lansing, Michigan 48909-7505
 Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
 (Authorized by P.A.58 of 1998)

This report is not to be faxed or electronically submitted - an original signature is required.

*** OFFICERS please obtain License No., Bus. ID and File # directly from the liquor license ***

License Number 353-2014 SS	Business ID 224	File Number
Name of Licensee MON JIN LAU, INC.	Doing Business As MON JIN LAU	
Mailing Address (street, city, zip code) 1515 East Maple Road; Troy, Michigan 48083		
Towrship	County Oakland	
Type of License(s) & Permit(s) Class C		
Date of violation:	Day Wednesday	Date 02/25/15
		Time 1645

Violation Type: Minor Intoxicated Person Gambling Controlled Substances
 Prohibited Conduct Failure to Cooperate Fighting (must be inside licensed premises)
 After Hours Sales / Consumption Other (explain):

If MINOR: Birth date 04/14/96 Was this a DECOY? Yes No If No, you MUST answer below!
 If above minor violation was NOT a decoy, describe enforcement action taken:

NOTE! COPY OF APPEARANCE TICKET MUST BE ATTACHED.

Submit Report Below or Indicate Attached Report Number 15-5652

*** REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.***

Officer Signature _____ Name and Title Sergeant Nathan Gobler
 Officer Signature V. Bordo _____ Name and Title Officer Victor Bordo
 Officer Signature G. Stopczynski _____ Name and Title Officer Gregory Stopczynski
 Department Name Troy Police Department Telephone Number 248-524-3477

WITNESSES

- Name Decoy, _____ Address 500 West Big Beaver Road
 Will testify to: Minor who purchased alcohol
- Name Mi-Ae Fawks _____ Address _____
 Will testify to: Served alcohol to minor
- Name Anthony Giannola _____ Address _____
 Will testify to: Manager on Duty
- Name _____ Address _____
 Will testify to:
- Name _____ Address _____
 Will testify to:

EVIDENCE

Location Held (Explain) Receipt; photo of Stella Artois draft beer
 LC-600 Rev. 03/05 4880-2362

CR No: 150005652-001



Report Type:
Crime Report

Officer:
TRGOBLERN (101331)

001

TROY PD
500 W. BIG BEAVER
TROY MI 48084
248-524-3477



Case Report

Administrative Details:

CR No 150005652-001	Subject 4171 - Violation of Liquor Control Laws [41001]
Report Date/Time 02/19/2015 22:16	Occurrence Date/Time 02/19/2015 22:16
Location 1515 E MAPLE RD	Call Source TELEPHONE
Dispatched Offense C3309 LIQUOR INSPECT	Verified Offense 4171 Violation of Liquor Control Laws
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol DPU	
Report Type Crime Report	
Created By NATHAN GOBLER	Created Date/Time 02/25/2015 09:54 PM

CR No: 150005652-001 	Report Type: Crime Report	Officer: TRGOBLERN (101331)	001
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Offenses:

4171 - Violation of Liquor Control Laws [TRGOBLERN (101331)]			
IBR Code / IBR Group 90G - Liquor Law Violations / B	Offense File Class 41001 - LIQUOR LICENSE -ESTABLISHMENT		
Crime Against SO	Location Type 21 - Restaurant	Offense Completed Completed	
Domestic Violence No	Hate/Bias 00 - None (No Bias)		
Using A-Alcohol: No C-Computer Equipment: No D-Drugs/Narcotics: No	Cargo Theft		

People:

DECOY (W-WITNESS) [TRGOBLERN (101331)]							
PE:	W.Type: RG	Last Name	First Name DECOY	Middle Name	Suffix	Mr/Mrs/Ms	
DOB (Age) 04/14/1996 (18)	Sex M	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address 500 W BIG BEAVER		Apt #	County	Country	Home Phone	Work Phone	
City TROY	State MI	Zip 48084	Cell Phone	Email			
Notes STUDENT ENFORCEMENT AIDE. PURCHASED ALCOHOL.							

GOBLER, NATHAN (O-OTHER) (L-POLICE OFFICER) [TRGOBLERN (101331)]							
PE:	W.Type:	Last Name Gobler	First Name Nathan	Middle Name	Suffix	Mr/Mrs/Ms	
DOB (Age)	Sex	Race UNKNOWN	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address 500 W. Big Beaver		Apt #	County OAKLAND	Country USA	Home Phone	Work Phone	
City Troy	State Mi	Zip 48084	Cell Phone	Email			
Phone/Email							
Type				Description			
BU-Business Phone #1				248-524-3477			

GIANNOLA, ANTHONY MENNA (O-OTHER) (X-MISCELLANEOUS) [TRGOBLERN (101331)]							
PE:	W.Type:	Last Name GIANNOLA	First Name ANTHONY	Middle Name MENNA	Suffix	Mr/Mrs/Ms	
Aliases			Driver License#	DL State MI	DL Country	Personal ID#	
DOB (Age) 7 (37)	Sex M	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship	
Street Address		Apt #	County	Country	Home Phone	Work Phone	
City	State MI	Zip	Cell Phone	Email			
Phone/Email							
Type				Description			
BU-Business Phone #1				2486892332			
Notes MANAGER ON DUTY							

CR No: 150005652-001 	Report Type: Crime Report	Officer: TRGOBLERN (101331)	001
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FAWKS, MI-AE (O-OTHER) [TRGOBLERN (101331)]									
PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Mrs/Ms			
		FAWKS	MI-AE						
Aliases			Driver License#	DL State	DL Country	Personal ID#			
				MI					
DOB (Age)	Sex	Race	City	Birth City & State	Birth Country	Country of Citizenship			
(57)	F	ASIAN/PACIFIC ISLANDER							
Street Address		Apt #	County	Country	Home Phone	Work Phone			
City	State	Zip	Cell Phone	Email					
	MI	8							
SERVED ALCOHOL TO DECOY									

Property:			
1812 - Receipt 5448 [TRGOBLERN (101331)]			
Property Class	IBR Type	UCR Type	
48	48 - Documents/Personal or Business	K - Miscellaneous	
Status		Count	Value
E - Evidence (Including Other Seized Property And Tools)		1	1
Description	Disposition	Evidence Tag	
PHOTO OF BEER AND PURCHASE RECEIPT		150005652.001	
Recovered Date/Time	Location	Owner	
		P,	

1200 - Beer 5402 [TRGOBLERN (101331)]			
Property Class	IBR Type	UCR Type	
02	02 - Alcohol	I - Consumable Goods	
Status		Count	Value
I - Information Only		1	5.30
Description	Disposition	Evidence Tag	
STELLA ARTOIS			
Recovered Date/Time	Location	Owner	
		P,	

Narrative:	
LCC Violation - Mon Jin Lau	
Origin	
<p>I (Sergeant Gobler) was working an underage decoy operation checking for liquor violations at businesses in the City of Troy. I escorted Decoy [redacted] as he attempted to make purchases at license facilities. Decoy [redacted] is 18 years of age and was not in possession of identification during the detail.</p>	

**Purchase of Alcohol**

02/25/2015 at 1641, Decoy [redacted] entered the Mon Jin Lau Restaurant at 1515 E Maple. Decoy [redacted] sat at a table in the dining room and was met by server Mi-Ae Fawks. Decoy [redacted] ordered a Stella Artois draft from Fawks. Fawks did not request identification from Decoy [redacted] or inquire about his age. Fawks delivered a Stella Artois draft and served it to Decoy [redacted]. Decoy [redacted] contacted me by phone and asked me to enter the restaurant. I observed Decoy [redacted] seated with a draft beer in front of him. Decoy [redacted] identified the server and Fawks walked up while I was seated at the table with the Decoy [redacted]. I asked Decoy [redacted] to leave the establishment. I advised Fawks that she had served alcohol to a minor. I asked Fawks to contact a manager and have him respond to speak with me. The manager on duty was identified as Anthony Giannola. Giannola retrieved the liquor license and presented it to me.

Interview with Fawks

Fawks was visibly upset and admitted that she had failed to request Decoy [redacted] ID before serving him. Fawks declined to complete a written statement.

Evidence

A receipt for the Stella was printed by Giannola. The total sale was \$5.30. I also photographed the beer as it sat on the table in the establishment. These items were tagged and turned over to the property section.

Disposition

Fawks was issued citation #15TR02041 for sold/furnished alcoholic liquor to a minor (C/I). The citation was delivered by mail. LCC violation paperwork was completed and will be submitted to LCC.

**NARRATIVE REPORT
 WITNESS STATEMENT**

SUPP CORR DELETE PAGE 1 OF 1

01	DATE 02/25/15	DAY WED	SHIFT 04	PLAT 1	BADGE 1 215	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 15	INCIDENT # 5652
----	------------------	------------	-------------	-----------	----------------	---------	---	------------	------------	--------------------

02 Name: Decoy  DOB: 4-14-96 Home Phone: _____

03 Address: 500 Big Beaver Business Phone: _____

04 City: Troy State: MI Zip: 48083

05 E-mail Address: _____ Cell Phone: _____

06 _____

07 _____

08 At 4:40 pm I entered Mon Jin Lau,

09 I requested a table for two and was

10 seated ~~seated~~. A waitress asked what

11 I would like to drink and I ordered

12 a Stella 16 oz. The waitress returned

13 with the beer and I immediately

14 called Sergeant Gobbler at 4:45 pm.

15 Upon arrival at my table, I informed

16 him of the waitress's description and

17 left the establishment.

18 _____

19 _____

20 _____

21 _____

22 _____

23 _____

24 _____

25 _____

26 _____

27 _____

28 Taken By: _____ X: _____
 (SIGNATURE)

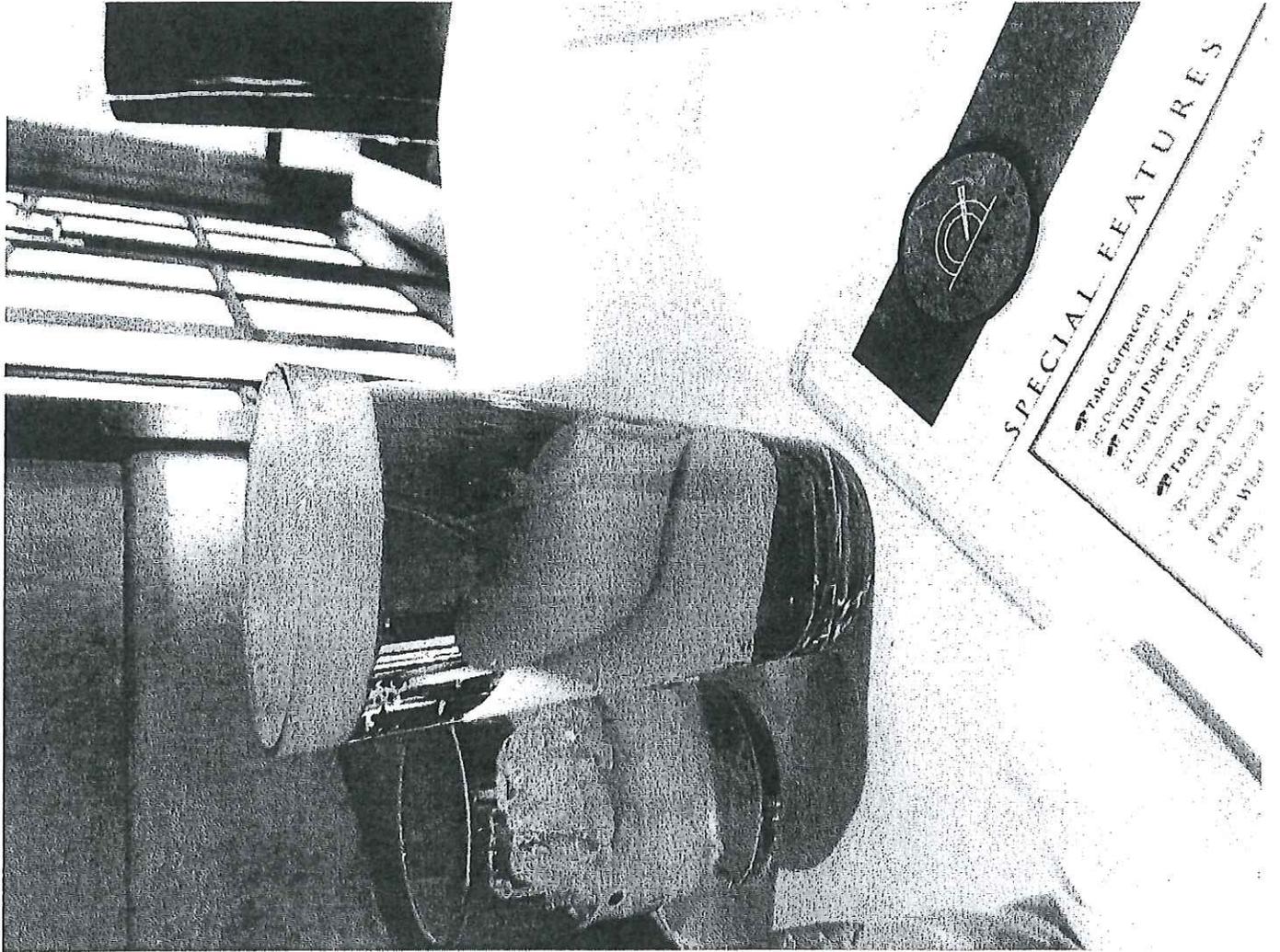
29 Place: 1515 E MAPLE Date: 2-25-15 Time: 5:00 pm

INVESTIGATING OFFICER(S) <u>Gobbler #215</u>	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
---	-------------	---------------------	--------------

State of Michigan Uniform Law Citation		Ticket No. 15TR02041 **		<input type="checkbox"/> Victim Involved
US DOT #		Incident No. 15-5652		Dept. No. 6378400 (TR-TR)** (
The People of: <input type="checkbox"/> the State of Michigan <input type="checkbox"/> Township <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> County		Local Use/Arrest No.		Detection Device
OF: TROY		BAC		1 of 1
THE UNDERSIGNED SAYS THAT ON:		Month 02 Day 25 Year 15	At approximately <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M.	Date of Birth Month 1 Day 1 Year
State MI	<input checked="" type="checkbox"/> Oper./Chauff. <input type="checkbox"/> CDL	Driver License Number		SSN (last 4 digits)
Race A	Sex F	Height 5' 08"	Weight 140	Hair BRO Eyes BRO Occupation/Employer
Name (First, Middle, Last) MI-AE FAWKS				
Street				
City				
State MI Zip Code				
Vehicle Plate No.	Year	State	Vehicle Description (Year, Make, Color)	Veh. Type
THE PERSON NAMED ABOVE, in violation of <input checked="" type="checkbox"/> Local Ordinance <input type="checkbox"/> State Law <input type="checkbox"/> Administrative Rule				
UPON MON JIN LAU				
AT OR NEAR 1515 E MAPLE RD				
WITHIN <input checked="" type="checkbox"/> CITY <input type="checkbox"/> VILLAGE <input type="checkbox"/> TOWNSHIP OF TROY				
COUNTY OF OAKLAND DID THE FOLLOWING				
Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.	
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend. 9300556	FURNISHING, SALE TO PERSONS UNDER 21 AND/OR FAILURE TO INQUIRE AS TO AGE DURING ENFORCEMENT ACTION	1	
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		2	
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		3	
TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.				
Offense Code(s) 1 98.10.14 2 3				
Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending				
Remarks: MON JIN LAU				
CHECK IF APPROPRIATE <input type="checkbox"/> Damage to Property <input type="checkbox"/> Local Court Bond \$ <input type="checkbox"/> Vehicle Impounded <input type="checkbox"/> Injury <input type="checkbox"/> License Posted in Lieu of Bond <input type="checkbox"/> Traffic Crash <input type="checkbox"/> Death <input type="checkbox"/> Appearance Certificate Person in Active Military Service <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> None				
SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS Appearance Date on or before MAR 25, 2015 0830 AM				
Hearing Date (if applicable) on <input checked="" type="checkbox"/> Contact Court <input type="checkbox"/> Juvenile Traffic Misd. (Court will Notify) <input type="checkbox"/> Formal Hearing Required. (Court will Notify)				
In the 52ND DISTRICT COURT Court of TROY				
Court Address & Phone Number 52ND DISTRICT COURT, 4TH DIVISION 520 WEST BIG BEAVER ROAD (248) 528-0400 TROY, MI 48084				
<input checked="" type="checkbox"/> I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable). I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.				
Complainant's Signature and receipt if applicable SGT. N. GOBLER			Month 02 Day 25 Year 15	
Officer's Name (printed) SGT. N. GOBLER			Officer's ID No. 215	
Agency ORI MI- 6378400		Agency Name TROY PD		
UC-01a Online payment Web site: https://courts.oakgov.com/OakEtix/ (rev. 6/05) ** Revised: ADD REMARKS				

Ticket
15TR02041
 Name
FAWKES, MI-AE
 Case No.

Attachment File : Photo of Beer





Case #:15TR02041**Case Type:**ON**Case Status:** CLSD

Header Information

STATE OF MICHIGAN	REGISTER OF ACTIONS	CASE NO: 15TR02041 D01 ON
52-4 JUDICIAL DISTRICT		
ORI630165J		STATUS: CLSD 03/02/15
PIN: 15-0005652		

JUDGE OF RECORD:
JUDGE:

Party Information

CITY OF TROY v

FAWKS/MI-AE/



CTN:
TCN:
SID:

ENTRY DATE: 02/26/15
OFFENSE DATE: 02/25/15 445 PM

VEH YR: VEH MAKE: VIN: VEHICLE TYPE: VPN:
OFFICER: GOBLER, N-TROY PD | DEPT: TROY PD
PAPER PLATE:

PROSECUTOR: |
| VENUE: CITY OF TROY

Charges

COUNT 1 C/M/F: C 9300556 PACC#436.1701(1)

SALE OF ALC U/21-ENF ACTION-ORDINANCE

ARRAIGNMENT DATE: PLEA: ADMIT RESPON PLEA DATE: 03/02/15

FINDINGS: JDGMNT RNRD DISPOSITION DATE: 03/02/15

SENTENCING DATE: 03/02/15

FINE	COST	ST.COST	CON	MISC.	REST	TOT FINE	TOT DUE
90.00	0.00	10.00	0.00	0.00	0.00	100.00	0.00

JAIL SENTENCE: PROBATION:
VEH IMMOB START DATE: NUMBER OF DAYS: VEH FORFEITURE:

Events

DATE	ACTIONS, JUDGMENTS, CASE NOTES	INITIALS
02/25/15		



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

IN RE: MON JIN LAU, INC.
D/B/A MON JIN LAU
1515 E MAPLE
TROY, MI 48084

COMPLAINT NO. 5-170518

BUSINESS ID NO. 224
CLASSC SS(PM) OD-SERV

CHARGES - FEBRUARY 25, 2015

- (1) Sold or furnished alcoholic liquor to unnamed minor, Decoy [redacted] date of birth April 14, 1996, who was less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

NEGOTIATED SETTLEMENT

The Commissioner has before him, a written Stipulated Agreement in the matter of Complaint No. 5-170518, Mon Jin Lau, Inc., above licensee. The stipulated settlement was signed by Rosendo Asevedo, Assistant Attorney General who represented all law enforcement in this matter, and John W. Henke, III, Attorney for the licensee.

Having reviewed the stipulated settlement in all its terms, the Commissioner accepts the settlement as stated and incorporates by reference the signed document of this case.

The Commissioner, therefore, issues this

ORDER

- (1) The Commissioner accepts the licensee's plea of acknowledgment to the one charge cited above;
- (2) The Violation Report of this case, the Stipulated Agreement and the balance of the Michigan Liquor Control Commission (MLCC) file in this matter are hereby entered into the record as substantive evidence. The Commissioner further has taken notice of the prior record of this licensee,

which shows eight (8) previous violations, five (5) similar to the instant case, since securing MLCC licensure on May 3, 1979, at the above-named location under the current ownership; and

(3) As penalty, the Commissioner Orders the licensee to pay, a fine of \$650. The Commissioner further Orders a suspension of thirty-three (33) continuous days if the total fine of \$650 is not paid within forty-five (45) days from the date this Order is mailed. This suspension, if served, shall run consecutively and not concurrently with any other suspension ordered by the MLCC for this licensee.

The Commissioner also finds that Assistant Attorney General Asevedo has consulted with and obtained the acquiescence, to this negotiated settlement, of Sgt. Nathan Gobler of the Troy Police Department.

The licensee agrees that this Negotiated Settlement was a full and final disposition of this matter before the Commission. The licensee recognizes that, as to this complaint, there is no further right of administrative or judicial appeal, to either the MLCC or a court of law. The licensee also agrees that the plea in this case was entered voluntarily and with the full understanding of all consequences. Furthermore, all parties agree that there are no promises, stipulations, understandings or agreements other than those stated above as part of the official record. This document represents the final agreed settlement.

MICHIGAN LIQUOR CONTROL COMMISSION

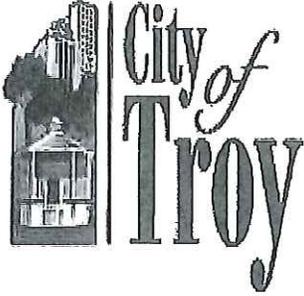

Edward J. Gaffney, Commissioner

Date Mailed: NOV 09 2015

Rosendo Asevedo
Assistant Attorney General
25680 W 8 Mile Rd.
Southfield, MI 48033

John W. Henke, III
Attorney at Law
29800 Telegraph Rd.
Southfield, MI 48034

REC'D
NOV 23 2015



TO: Members of Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LRB*
Susan M. Lancaster, Assistant City Attorney *sm2*
DATE: February 26, 2014
SUBJECT: Mon Jin Lau, Inc (d/b/a Mon Jin Lau)

During the 2013 liquor license hearings, City Council discussed violations that occurred at Mon Jin Lau, Inc., d/b/a Mon Jin Lau ("Mon Jin Lau"). These violations included overcrowding complaints and police runs to the restaurant for incidents involving highly intoxicated individuals. Recognizing that the Troy City Council had the authority to object to the otherwise automatic renewal of its liquor license, Mon Jin Lau agreed to enter into an Agreement with the City of Troy which was designed to minimize the risks of further violations of the liquor laws. Summarily, Mon Jin Lau agreed to the following terms:

1. Suspension of all special events request for a one (1) year period except for a two day Chinese New Year event.
2. No requests are to be made for outdoor service or use of a tent in the parking lot for a two (2) year period.
3. Entry into a one (1) year security agreement with a fully insured security agency licensed by the State of Michigan. The agreement with the security company would require sufficient personnel to address overcrowding and/or disorderly patrons, unlawful entry during business hours, crowd control, and congestion.
4. Modification of the valet parking procedure for congestion and crowding control.
5. Completion of a server training program for all wait staff and bartenders.
6. An automatic review of the Agreement at the 2014 liquor violation hearings.

It appears that the licensee has satisfied its obligations under the Agreement, which is attached. The Troy Police Department received proof of server training program completion with a letter dated June 6, 2013, which has been reviewed and accepted by the Troy Police Department. There have been no cited violations of any State of Michigan liquor laws or the Troy Code of Ordinances. On June 26, 2013, a Troy Police Department underage decoy unsuccessfully attempted to enter Mon Jin Lau, under the direction of Troy's Directed Patrol Unit ("DPU"). The decoy was denied entry without an ID. Additionally, the decoy also attempted to enter the licensed establishment through the patio/service area, but the decoy was stopped by security, who directed all patrons to the front door for entry. Upon entry into the licensed premises, Troy's DPU police officers noted that there was apparent compliance with the laws regarding overcrowding, and all patrons appeared to be at least 35 years old. The officers also found all exits and entrances monitored by staff, and a wait staff where everyone appeared to be over 40 years old. The officer also looked for patrons who appeared to be over-served, and did not find any. A copy of this incident report is attached.

On October 31, 2013, the Troy Police Department and Fire Department again sent representatives into Mon Jin Lau at approximately midnight to investigate an overcrowding complaint. Neither the Police Department nor the Fire Department issued any citations or observed overcrowding or any other violations at that time.

AGREEMENT:

The parties, for the above referenced consideration, agree to the following terms and conditions, as part of an effort to address health and public safety concerns:

1. Mon Jin Lau will voluntarily suspend for one (1) year, beginning April 1, 2013, all "Special Event" requests. "Special Event" means any event that would require approval from the Michigan Liquor Control Commission ("MLCC") or City of Troy for a permit, such as an entertainment permit, a dance permit, additional outdoor service, or the like. Mon Jin Lau may, however, apply for a special event permit for a two day Chinese New Year event which will occur annually.
 - (a) If Mon Jin Lau elects to request permit(s) for the special event referred to as the Chinese New Year event, at least two weeks prior to the event, Mon Jin Lau shall provide to the Troy Fire Department a scale drawing of the restaurant which includes the lay out and placement of all tables, chairs, dance floor(s), bar areas, and any other item that utilizes floor space so the fire department may properly calculate occupant load. Such occupant load shall be posted in the restaurant.
 - (b) Mon Jin Lau shall not request outdoor service or the use of a tent in the parking lot associated with any special event, including the Chinese New year event, for a period of two (2) years from the date of this agreement.
2. On January 16, 2013, Mon Jin Lau entered into a one (1) year security agreement with RPS Protection, LLC of Waterford, Michigan ("RPS") which is a fully licensed and insured security agency in the State of Michigan. Mon Jin Lau agrees to maintain its agreement with RPS or a similarly licensed and insured

security provider for the duration of this agreement. Mon Jin Lau is ultimately responsible for all liquor or ordinance violations, however, Mon Jin Lau expects to rely on RPS to assist.

(a) On Shanghai Wednesdays, Mon Jin Lau will ensure RPS has sufficient and necessary security personnel on premises to address overcrowding and/or disorderly conduct issues with Mon Jin Lau patrons.

(b) Mon Jin Lau may also hire additional personnel for any exit doors to ensure no one is attempting to sneak into the Restaurant.

(c) Security personnel will carry flashlights, and they will concentrate their crowd control efforts in the known "bottleneck" or congested areas such as the entrance, hostess stand, bar areas, and lounge areas.

(d) Security will keep an accurate count of people entering and exiting Mon Jin Lau to ensure that the capacity is kept below the posted maximum. Should an area of the restaurant become congested, Security and Management will prevent people from entering until the congested area has been cleared.

3. Mon Jin Lau will modify its current valet parking procedures to alleviate vehicle and pedestrian congestion and traffic flow issues.

(a) Mon Jin Lau has a rental agreement with its neighbor, UAW Local 771, to use its adjacent parking lot during evening hours. A copy of the agreement is on file with the Troy Building Department.

(b) Valet parking will be mandatory on "Shanghai Wednesdays" and will be posted as such at the Stephenson Highway entrance. Mon Jin Lau and its Valet agree to work with the applicable City of Troy departments, including Planning, Engineering, Police, and Fire, on a revised Valet Plan.

(c) Valet personnel will coordinate with security personnel to ensure that the perimeter of the restaurant is not breached by patrons or people outside the restaurant as happened in October. The valet has been instructed to notify security if there is any security issue which arises near the valet or on the perimeter of the property. Valet will also advise security and management once the valet is full, so the parking lot can be closed. Once the traffic study is complete, Mon Jin Lau will meet with Planning or Engineering for any recommendations or revisions to the proposed plan.

4. TIPS/TAM Training:

Mon Jin Lau staff, both wait staff and bartenders, will go through TIPS or TAM training. Additionally, Mon Jin Lau agrees to train both valet and security personnel to recognize intoxicated/impaired individuals, and where deemed appropriate, valet personnel will refuse to provide patron(s) with their vehicle keys. Mon Jin Lau wait and bar staff are also trained to notify security immediately should any security issues arise, and to alert security of crowd congestion in the restaurant during Shanghai Wednesday's.

5. Penalty:

- (a) Mon Jin Lau agrees to an automatic review of this agreement when the City conducts its annual liquor license review for 2014, regardless of whether there have been any alleged liquor violations.
- (b) Any violation of the terms set forth above may serve as a basis for the City to object to the renewal of the liquor license during the City's 2014 annual liquor license review.
- (c) Any future fire code violations may result in the issuance of misdemeanor ticket(s) to the appropriate individual or representative of Mon Jin Lau.
- (d) At the discretion of City of Troy police and fire personnel, the number of random, unannounced liquor license compliance checks and fire code compliance checks during business hours may be increased for a period of one (1) year.

Approved by

Mon Jin Lau

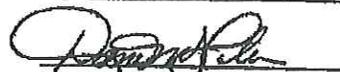
By: 

MARSHALL CHIN
(Printed Name)

Approved by

City of Troy

By: _____



Dane Slater, Mayor



M. Aileen Bittner, City Clerk

LCC Liquor Licensee History

Business name: **Mon Jin Lau**
 Address: 1515 E. Maple
 Licensee: Mon Jin Lau, Inc. Marco Chin 689-2332
 License type: **Class C**
 Permits: Sunday Sales, Outdoor Service
 Comments:

Date	Troy Incident #	Type	Disposition	Date
9/18/78		Council approved license transfer		
10/15/78	78-23487	Sale to minors	Dismissed	5/1/79
4/10/84		Non-employees on premises after hours Hinder and obstruct police officers during investigation	Fined \$75	7/18/84
6/17/92	92-17105	Sale to minor (compliance test)	Fined \$200	10/28/92
08/11/94	94-27026	Sale to minor (compliance test)	Fined \$500	11/22/94
11/07/94	94-37828	Gambling (Citizen Complaint)	insufficient evidence to pursue	11/21/94
4/11/98	98-13271	Customers after-hours	\$400 Fine by MLCC	08/10/98
01/16/99	99-02454	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/25/99	99-07623	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/16/99	99-27117	Compliance Test	PASSED	
04/26/00	00-14152	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/26/00	none	Compliance Test	PASSED	
10/19/00	00-38783	Sale to Minor (Compliance Test)	Fined \$500	
11/16/00	00-42519	Compliance Test	PASSED	
11/20/00	00-43043	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/16/01	01-01852	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

02/26/01 **Council Show Cause-resolution to require TIPS/TAM training for all servers with proof to PD within 6 months**

03/17/01	01-09244	Liquor Inspection (Road Patrol)	NO VIOLATIONS
05/03/01		Compliance Test	PASSED
06/12/01	01-20614	Liquor Inspection (Road Patrol)	NO VIOLATIONS
08/16/01	01-29493	Compliance Test	PASSED
08/28/01	01-30934	Liquor Inspection (Road Patrol)	NO VIOLATIONS
10/05/01	01-36176	Compliance Test	PASSED
11/03/01	01-39805	Liquor Inspection (Road Patrol)	NO VIOLATIONS
01/10/02	02-01066	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/22/02	02-05660	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/26/02	02-06149	Compliance Test	PASSED
04/24/02	02-12683	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/28/02	02-20764	Compliance Test	PASSED
07/10/02	02-22341	Liquor Inspection (Road Patrol)	NO VIOLATIONS
09/12/02	02-30219	Liquor Inspection (Road Patrol- Mairorano)	NO VIOLATIONS
10/18/02	02-34357	Compliance Test	PASSED
11/15/02	02-37238	Liquor Inspection (Road Patrol- Langbeen)	NO VIOLATIONS
01/04/03	03-422	Liquor Inspection (Road Patrol- Langbeen)	NO VIOLATIONS
03/04/03	03-6283	Liquor Inspection (Road Patrol- Langbeen)	NO VIOLATIONS
04/25/03	03-12394	Compliance Test	PASSED
06/26/03	03-19485	Compliance Test	PASSED
07/11/03	03-21305	Liquor Inspection (Road Patrol-Isham/Zagacki)	NO VIOLATIONS
08/28/03	03-26975	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
09/12/03	03-28505	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS

10/29/03 **03-33451 Sale to Minor (compliance test) \$600 fine 03/01/04**

01/19/04	04-01896	Liquor Inspection (Road Patrol-Zagacki/Schehr)	NO VIOLATIONS
02/16/04	04-04846	Liquor Inspection (Road Patrol-Zagacki/Schehr)	NO VIOLATIONS

03/03/04 **Council Public Hearings for 2003 Violation(s)-Resolution requiring TIPS/TAM training for all employees who sell alcohol with proof to the PD within 180 days; employee contracts re: alcohol sales**

03/08/04	04-06904	Liquor Inspection (Road Patrol-Zagacki/Schehr)	NO VIOLATIONS
03/12/04		Signed employee contracts received	
03/23/04	04-08534	Compliance Test	PASSED
04/24/04	04-11816	Liquor Inspection (Road Patrol-Daniels/Warzecha)	NO VIOLATIONS
06/30/04	04-19512	Compliance Test	PASSED
07/20/04	04-21921	Liquor Inspection (Road Patrol- Daniels)	NO VIOLATIONS
09/17/04	04-29370	Liquor Inspection (Road Patrol- Daniels)	NO VIOLATIONS
02/02/05	05-03771	Liquor Inspection (Road Patrol- Giorgi)	NO VIOLATIONS
02/17/05	05-05340	Liquor Inspection (Road Patrol- Giorgi)	NO VIOLATIONS
03/04/05	05-07285	Sale to Minor (Compliance Test)	\$800 fine
03/23/05	05-09477	Liquor Inspection (Road Patrol-Giorgi)	NO VIOLATIONS
04/28/05	05-13946	Liquor Inspection (Road Patrol- Novak)	NO VIOLATIONS
07/27/05	05-26103	Liquor Inspection (Road Patrol- Novak)	NO VIOLATIONS
10/17/05	05-36714	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS
01/23/06	06-3013	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS
02/15/06	Council	Public Hearings for 2005 Violation(s)-Resolution requiring TIPS/TAM training for all employees who sell alcohol with proof to the PD within 90 days	
06/21/06		Proof Received	
06/23/06	06-23842	Liquor Inspection (Road Patrol- Taylor)	NO VIOLATIONS
07/06/06		Application for Additional Bar received	
07/15/06	06-26937	Liquor Inspection (Road Patrol- Taylor)	NO VIOLATIONS
07/26/06		Compliance Test	PASSED
08/26/06	06-33174	Liquor Inspection (Road Patrol- Taylor)	NO VIOLATIONS
01/24/07		Compliance Test	PASSED
02/03/07	07-4223	Liquor Inspection (Road Patrol- Laforest)	NO VIOLATIONS
03/26/07	07-10855	Liquor Inspection (Road Patrol- Laforest)	NO VIOLATIONS
05/10/07	07-17229	Compliance Test	PASSED
05/14/07	07-17847	Liquor Inspection (Road Patrol- Strong)	NO VIOLATIONS
06/11/07	07-21774	Liquor Inspection (Road Patrol- Strong)	NO VIOLATIONS
08/13/07	07-30710	Liquor Inspection (Road Patrol- Strong)	NO VIOLATIONS
10/18/07	07-32097	Compliance Test	PASSED



12/13/07	07-45762	Compliance Test	PASSED
12/18/07		Application for Additional bar cancelled by MLCC	
02/21/08	08-6525	Compliance Test	PASSED
05/21/08	08-17710	Compliance Test	PASSED
05/22/08	08-17980	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
07/25/08	08-26159	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
09/04/08	08-31046	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
10/09/08	08-34294	Compliance Test	PASSED
10/26/08	08-37124	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
12/26/08	08-44085	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
12/30/08	08-44428	Compliance Test	PASSED
02/27/09	09-6659	Liquor Inspection (Road Patrol-Minton)	NO VIOLATIONS
04/30/09	09-13409	Liquor Inspection (Road Patrol-Whiteside)	NO VIOLATIONS
05/07/09	09-14187	Compliance Test	PASSED
06/28/09	09-20448	Liquor Inspection (Road Patrol-Whiteside)	NO VIOLATIONS
08/23/09	09-26734	Liquor Inspection (Road Patrol-Whiteside)	NO VIOLATIONS
10/26/09	09-33541	Liquor Inspection (Road Patrol-Owczarzak)	NO VIOLATIONS
10/28/09	09-33689	Compliance Test	PASSED
12/17/09	09-39248	Compliance Test	PASSED
01/05/10	10-468	Liquor Inspection (Road Patrol-Owczarzak)	NO VIOLATIONS
07/19/10	10-21084	Compliance Test	PASSED
07/26/10	10-22427	Liquor Inspection (Road Patrol-Cascioli)	NO VIOLATIONS
09/01/10	10-26607	Compliance Test	PASSED
10/27/10	10-32848	Compliance Test	PASSED
10/27/10	10-33039	Warning issued to Mon Jin Lau for overcrowding	
11/28/10	10-36423	Liquor Inspection (Road Patrol-Kramer)	NO VIOLATIONS
12/15/10	10-38340	Compliance Test	PASSED
03/06/11	11-6940	Liquor Inspection (Road Patrol-Kramer)	NO VIOLATIONS
05/05/11	11-12903	Compliance Test	PASSED
08/01/11	11-22591	Liquor Inspection (Road Patrol-Kramer)	NO VIOLATIONS

09/05/11	11-26401	Liquor Inspection (Road Patrol-Kramer)	NO VIOLATIONS
11/16/11	11-34419	Liquor Inspection (Road Patrol-Jones)	NO VIOLATIONS
12/08/11	11-36711	Compliance Test	PASSED
01/26/12	12-2861	Liquor Inspection (Road Patrol-Jones)	NO VIOLATIONS
03/20/12	12-8920	Liquor Inspection (Road Patrol-Jones)	NO VIOLATIONS
05/09/12	12-14670	Compliance Test	PASSED
05/20/12	12-16109	Liquor Inspection (Road Patrol-McWilliams)	NO VIOLATIONS
07/26/12	12-24991	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
09/06/12	12-30064	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
10/31/12	12-36156	Mon Jin Lau was cited by Troy Fire Dept. for overcrowding at their Halloween Party, and a Violation Report was sent to the MLCC regarding the overcrowding incident.	Fined \$600
10/31/12	12-36166	Resisting arrest / hallucinogen possession incident at Halloween Party	Dismissed by MLCC
10/31/12	12-36168	Resisting arrest / disorderly conduct incident at Halloween Party	Dismissed by MLCC
11/08/12	12-37128	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
11/12/12	12-37554	Compliance Test	PASSED
01/12/13	13-1289	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
03/14/13	13-8002	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
03/19/13	13-8506	Compliance Test	PASSED
03/22/13		Letter sent from Police Department to licensee requiring TIPS/TAMS Training for all employees serving alcohol and proof of training provided to the Police Department by 6/14/13.	
05/09/13	13-14182	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
06/10/13		Received proof of TIPS/TAMS Training	
07/11/13	13-21790	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
10/31/13	13-34383	Investigated Overcrowding Complaint	NO VIOLATIONS
11/04/13	13-34929	Compliance Test	PASSED
11/21/13	13-36932	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
01/09/14	14-1143	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
03/01/14	14-6521	Compliance Test	PASSED

03/14/14	14-8088	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
05/15/14	14-14489	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
07/11/14	14-20993	Liquor Inspection (Road Patrol-Weingart)	NO VIOLATIONS
10/13/14	14-31341	Liquor Inspection (Road Patrol-McWilliams)	NO VIOLATIONS
10/20/14	14-32170	Liquor Inspection (Road Patrol-Julian)	NO VIOLATIONS
01/05/15	15-556	Liquor Inspection (Road Patrol-Julian)	NO VIOLATIONS
02/25/15	15-5652	Compliance Test (DPU) Sale to Minor	VIOLATION Fined \$650
03/13/15	15-8355	Liquor Inspection (Road Patrol-Fjolla)	NO VIOLATIONS
05/13/15	15-15583	Liquor Inspection (Road Patrol-Julian)	NO VIOLATIONS
07/15/15	15-23271	Liquor Inspection (Road Patrol-Julian)	NO VIOLATIONS
09/09/15	15-29807	Liquor Inspection (Road Patrol-Julian)	NO VIOLATIONS
11/12/15	15-37020	Liquor Inspection (Road Patrol-Alter)	NO VIOLATIONS

this incident.



MEMORANDUM

TO: Members of the Troy City Council
FROM: Lori Grigg Bluhm, City Attorney *LB*
Julie Quinlan Dufrane, Assistant City Attorney *JQD*
DATE: March 4, 2016
SUBJECT: Liquor Violation Hearing – Somerset Inn Limited Partnership (d/b/a Somerset Inn Crumpets)

On February 25, 2015, the Troy Police Department conducted underage decoy inspections for liquor licensed establishments in the City of Troy. The team went to Crumpets, a restaurant located at 2601 W. Big Beaver Road, at the Somerset Inn, where an underage minor decoy was served a mixed alcoholic drink. The person who served the alcoholic drink to the minor pled responsible to the charge of *furnishing, sale to person under 21*, and was fined \$100 on March 10, 2015. A copy of the reports documenting the alleged violation is attached to this memo as well as a copy of the licensee's history.

Somerset Inn Limited Partnership has a Class B - Hotel liquor license which means alcohol is served to patrons for consumption on the premises. Under MCL 436.1501, on premises liquor licenses are automatically renewed on a yearly basis unless the local legislative body (City Council) objects on or before March 30 of each year. A liquor license violation, such as the sale of alcohol to a minor, could serve as a basis for objecting to the automatic renewal of the liquor license, as the possession of Class C license is a privilege. The licensee is entitled to a due process hearing which provides the licensee an opportunity to challenge the violation. In the due process hearing, the City has the obligation to prove that there was a violation. The liquor violation hearing is scheduled in advance, with notice sent by certified mail to the licensee.

It should be noted that the licensee acknowledged the violation, waived its right to a hearing, and was ordered to pay a fine of \$500, \$100 of which was waived, by the Michigan Liquor Control Commission (MLCC).

Please let us know if you have any questions.



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1998)

This report is not to be faxed or electronically submitted - an original signature is required.

* OFFICERS please obtain License No., Bus. ID and File # directly from the liquor license *

Table with 3 columns: License Number, Business ID, File Number; Name of Licensee, Doing Business As; Mailing Address; Township, County; Type of License(s) & Permit(s); Date of violation, Day, Date, Time.

Violation Type: X Minor Intoxicated Person Gambling Controlled Substances
Prohibited Conduct Failure to Cooperate Fighting (must be inside licensed premises)
After Hours Sales / Consumption Other (explain):

If MINOR: Birth date 05/05/96 Was this a DECOY? X Yes No If No, you MUST answer below!
If above minor violation was NOT a decoy, describe enforcement action taken:

NOTE! COPY OF APPEARANCE TICKET MUST BE ATTACHED.

Submit Report Below or Indicate Attached Report Number 15-5779

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature]
Officer Signature [Signature]
Officer Signature [Signature]
Department Name Troy Police Department

Name and Title Sergeant Nathan Gobler
Name and Title Officer Victor Bordo
Name and Title Officer Gregory Stopczynski
Telephone Number 248-524-3477

WITNESSES

- 1. Name Decoy
Will testify to: Minor who purchased alcohol
2. Name Macario So
Will testify to: Served alcohol to minor
3. Name Regina Heindryckx
Will testify to: Supervisor
4. Name
Will testify to:
5. Name
Will testify to:

- Address 500 West Big Beaver Road
Address [Redacted]
Address [Redacted]
Address
Address

EVIDENCE

Location Held (Explain) Receipt; mixed drink left at restaurant
LC-600 Rev. 03/05 4880-2362

CR No: 150005779-001 	Report Type: Crime Report	Officer: TRBORDOV (101240)	001
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TROY PD
500 W. BIG BEAVER
TROY MI 48084
248-524-3477



Case Report

Administrative Details:

CR No 150005779-001	Subject 4171 - Violation of Liquor Control Laws [41001]
Report Date/Time 02/20/2015 01:46	Occurrence Date/Time 02/20/2015 01:46
Location 2601 W BIG BEAVER RD	Call Source FIELD INITIATED
Dispatched Offense C3309 LIQUOR INSPECT	Verified Offense 4171 Violation of Liquor Control Laws
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol DPU	
Report Type Crime Report	
Created By VICTOR BORDO	Created Date/Time 02/25/2015 09:23 PM

CR No: 150005779-001 	Report Type: Crime Report	Officer: TRBORDOV (101240)	001
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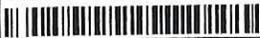
Offenses:			
4171 - Violation of Liquor Control Laws [TRBORDOV (101240)]			
IBR Code / IBR Group 90G - Liquor Law Violations / B	Offense File Class 41001 - LIQUOR LICENSE -ESTABLISHMENT		
Crime Against SO	Location Type 21 - Restaurant	Offense Completed Completed	
Domestic Violence No	Hate/Bias 00 - None (No Bias)		
Using A-Alcohol: No C-Computer Equipment: No D-Drugs/Narcotics: No	Cargo Theft		

People:									
DECOY (W-WITNESS) [TRBORDOV (101240)]									
PE:	W.Type: EY	Last Name [REDACTED]	First Name Decoy		Middle Name	Suffix	Mr/Mrs/Ms		
DOB (Age) 05/05/1996 (18)	Sex M	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship			
Street Address 500 W Big Beaver Rd			Apt #	County	Country	Home Phone	Work Phone		
City Troy			State MI	Zip 48084	Cell Phone	Email			

HEINDRYCKX, REGINA (O-OTHER) (X-MISCELLANEOUS) [TRBORDOV (101240)]									
PE:	W.Type:	Last Name Heindryckx	First Name Regina		Middle Name	Suffix	Mr/Mrs/Ms		
DOB (Age)	Sex F	Race BLACK	Ethnicity	Birth City & State	Birth Country	Country of Citizenship			
Street Address 2601 W Big Beaver Rd			Apt #	County	Country	Home Phone	Work Phone		
City Troy			State MI	Zip 48084	Cell Phone	Email			
Phone/Email									
Type					Description				
BU-Business Phone #1					248 643-7800				

SO, MACARIO P (O-OTHER) [TRBORDOV (101240)]									
PE:	W.Type:	Last Name SO	First Name MACARIO		Middle Name P	Suffix	Mr/Mrs/Ms		
Aliases			Driver License#		DL State MI	DL Country	Personal ID#		
DOB (Age) [REDACTED] (58)	Sex M	Race ASIAN/PACIFIC ISLANDER	Ethnicity	Birth City & State	Birth Country	Country of Citizenship			
Street Address [REDACTED]			Apt #	County	Country	Home Phone	Work Phone		
City [REDACTED]			State MI	Zip [REDACTED]	Cell Phone	Email			

Property:		
1812 - Receipt 5448 [TRBORDOV (101240)]		
Property Class	IBR Type	UCR Type

CR No: 150005779-001 	Report Type: Crime Report	Officer: TRBORDOV (101240)	001
48	48 - Documents/Personal or Business	K - Miscellaneous	
Status		Count	Value
E - Evidence (Including Other Seized Property And Tools)		1	1
Description		Disposition	Evidence Tag
Receipt			150005779.001
Recovered Date/Time	Location	Owner	
		P,	

Narrative:

On February 25, 2015 the Directed Patrol Unit conducted Liquor Control Commission compliance checks using minor decoys. The driver's license for each decoy was kept inside of the Troy Police Department for the duration for this assignment.

At approximately 1800 decoy [redacted] entered the Crumpets restaurant inside of the Somerset Inn located at 2601 West Big Beaver Road. [redacted] as seated at a table and ordered a Canadian whiskey and Coke mixed drink from the waiter, later identified as Mr. Macario Po. Po served [redacted] the drink without checking his identification. After the decoy was served, I entered the restaurant and [redacted] identified Po as the waiter who had served him alcohol.

I advised both Po and his supervisor, Ms. Regina Heindryckx, that a violation had occurred. I also advised Po that a ticket would be sent to him via certified mail. The drink was left at the restaurant. Po was issued ecitation 15TR02040 for Furnishing, Sale To Persons Under 21 And/Or Failure To Inquire As To Age During Enforcement Action. The ticket was mailed to Po at his home address.

The receipt of the sale was tagged as evidence and placed into property. I completed a violation report, which will be forwarded to the Michigan Liquor Control Commission.

No further action was taken.

NARRATIVE REPORT WITNESS STATEMENT

SUPP CORR DELETE PAGE 1 OF 1

01	DATE 02 25 15	DAY W E S	SHIFT 0 4	PLAT 0 4	BADGE 1 104	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 15	INCIDENT # 5779
----	----------------------	------------------	----------------	---------------	----------------	---------	---	------------	------------	--------------------

02 Name: [REDACTED] DOB: 5/5/96 Home Phone: [REDACTED]

03 Address: (PLEASE PRINT) 500 W. Big Beaver Business Phone:

04 City: Troy State: MI Zip: 48085

05 E-mail Address: 1 Cell Phone:

06 I walked into the restaurant at the Somerset Inn

07 was given a seat by a waiter. An Asian gentleman, short

08 small build about 50 yrs of age served me a Canadian

09 whiskey and cake without asking for any I.D.

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27 X: [REDACTED]
(SIGNATURE)

28 Taken By: J. Bona 10-7
(SIGNATURE)

29 Place: Date: Time:

INVESTIGATING OFFICER(S)	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
--------------------------	-------------	---------------------	--------------

**State of Michigan
Uniform Law Citation**

Ticket No. **15TR02040** ** Victim Involved

US DOT # _____ Incident No. **15-5779** Dept. No. **6378400 (TR-TR)**** (

The People of: the State of Michigan Local Use/Arrest No. _____ Detection Device _____
 Township City Village County

OF: **TROY** BAC _____ 1 of 1

THE UNDERSIGNED SAYS THAT ON: Month **02** Day **25** Year **15** At approximately A.M. P.M. Date of Birth _____

State Oper./Chauff. Driver License Number **MI-9300556** SSN (last 4 digits) _____
 CDL

Race **A** Sex **M** Height **5' 04"** Weight **110** Hair _____ Eyes **BRO** Occupation/Employer _____

Name (First, Middle, Last) **MACARIO P SO**

Street _____

City _____ State **MI** Zip Code _____

Vehicle Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____ Veh. Type _____

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
UPON **2601 W BIG BEAVER RD**
AT OR NEAR **SOMERSET INN**
WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
COUNTY OF **OAKLAND** DID THE FOLLOWING

Type	MCL Cite/PACC Code/ Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend. 9300556	FURNISHING, SALE TO PERSONS UNDER 21 AND/OR FAILURE TO INQUIRE AS TO AGE DURING ENFORCEMENT ACTION	1
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s)
1 **98.10.14** 2 _____ 3 _____

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: _____

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond _____
 Traffic Crash Death Appearance Certificate _____
Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
Appearance Date on or before **MARCH 11, 2015 @ 8:30 A.M.**
Hearing Date (if applicable) on _____ Contact Court
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52ND DISTRICT COURT** Court of **TROY**
Court Address & Phone Number **52ND DISTRICT COURT, 4TH DIVISION
520 WEST BIG BEAVER ROAD
(248) 528-0400 TROY, MI 48084**

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable: **BORDO** Month **02** Day **25** Year **15**

Officer's Name (printed): **BORDO** Officer's ID No. **104**

Agency ORI **MI-6378400** Agency Name **TROY PD**

UC-01a Online payment Web site: <https://courts.oakgov.com/OakEtix/>
(rev. 6/05) ** Revised: OFFENSE TIME AMENDED.

Ticket
15TR02040
Name
SO, MACARIO
Case No.



Somerset Inn

CRUMPETS

CHECK #208448

Server: Macario
Table: 32 Covers: 1
2/25/2015 06:12 PM
1 HOUSE COCKTAIL

6.95

Sub Total

6.95

Tax

0.42

Total ****

7.37

Information if room charge:

Tip: _____

Total: _____

Print Name: _____

Signature: _____

Room Number: _____

Please come back soon
Thank you



New Search | Name List | Disconnect

Case #: 15TR02040 Case Type: ON Case Status: CLSD

Header Information

STATE OF MICHIGAN | CASE NO: 15TR02040 D01 ON |
52-4 JUDICIAL DISTRICT | REGISTER OF ACTIONS |
ORI630165J | STATUS: CLSD 03/10/15 |
PIN: 15-0005779 |

JUDGE OF RECORD:
JUDGE:

Party Information

CITY OF TROY v

SO/MACARIO/P

CTN:
TCN:
SID:

ENTRY DATE: 02/26/15
OFFENSE DATE: 02/25/15 600 PM

VEH YR: VEH MAKE:
OFFICER: BORDO - TROY PD

VEHICLE TYPE: VIN:
VPN: PAPER PLATE:

DEPT: TROY PD

PROSECUTOR:

VENUE: CITY OF TROY

Charges

COUNT 1 C/M/F: C 9300556

PACC#436.1701 (1)

SALE OF ALC U/21-ENF ACTION-ORDINANCE

ARRAIGNMENT DATE: PLEA: ADMIT RESPON PLEA DATE: 03/10/15

FINDINGS: JDGMNT RNRD DISPOSITION DATE: 03/10/15

SENTENCING DATE: 03/10/15

Table with columns: FINE, COST, ST.COST, CON, MISC., REST, TOT FINE, TOT DUE. Values: 90.00, 0.00, 10.00, 0.00, 0.00, 0.00, 100.00, 0.00

JAIL SENTENCE: PROBATION:
VEH IMMOB START DATE: NUMBER OF DAYS: VEH FORFEITURE:

Events

DATE ACTIONS, JUDGMENTS, CASE NOTES INITIALS
02/25/15



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

IN RE: SOMERSET INN LIMITED PARTNERSHIP
D/B/A SOMERSET INN
2601 W. BIG BEAVER
TROY, MI 48084

COMPLAINT NO. 5-170523
BUSINESS ID NO. 6628

B HOTEL SDM SS (AM & PM)
DIR-CON-1 DANC-ENT ADDBAR
SPECIFIC PURPOSE PERMIT
(FOOD)

CHARGE – FEBRUARY 25, 2015

- (1) Sold or furnished alcoholic liquor to unnamed minor, [REDACTED] date of birth May 5, 1996, who was less than twenty-one (21) years old, contrary to Const 1963, art 4§ 40 and contrary to Section 801(2) and/or Section 701 (1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

FINDINGS OF FACT

The Commissioner finds as fact, based upon the signature on the Michigan Liquor Control Commission's (MLCC) Waiver and Acknowledgment form of Stanley Frankel, Officer of the above-named Licensed Limited Partnership, that under administrative rule R 436.1907 of the Michigan Administrative Code, the Licensee in this case has voluntarily waived the right to a hearing to contest the cited allegation in this matter and has entered a plea of acknowledgment to the one charge stated in Case No. 5-170523.

The Commissioner accepts the Violation Report of this case, along with any attachments therein, and a True Copy of the prior record of this Licensee at the above-named location as evidence in lieu of testimony in this matter.

The Commissioner believes and finds as fact, based on the Violation Report and attachments therein, that minor decoy [REDACTED] while under the direction of the Troy Police Department, entered the above-named licensed establishment on February 25, 2015, and purchased alcoholic liquor from an employee of the above-named Licensee without showing proper proof of age.

The Commissioner further finds that the employee of the above-named Licensee in this case did not ask for identification, was not shown proper proof of age, and did not make a diligent inquiry to determine the proper true age of the purchaser.

The Commissioner further believes and finds as fact, based on the Violation Report and attachments therein, that at the time of this incident, minor decoy [REDACTED] born May 5, 1996 was 18 years of age.

CONCLUSIONS OF LAW

Based upon the aforementioned Findings of Fact, the Commissioner concludes that the Licensee in Case No. 5-170523 did violate MCL 436.1801(2) of the Michigan Liquor Control Code, as cited.

ORDER

In determining this violation's penalty, the Commissioner considered the Licensee's total record at the above-named location, which shows no prior violations since securing MLCC licensure on January 9, 1997.

Therefore, the Commissioner Orders a penalty fine of \$500 for this charge with \$100 waived in recognition of the Licensee's record of compliance with the MLCC. The Commissioner further Orders the Licensee to serve a suspension of twenty (20)

SOMERSET INN LIMITED PARTNERSHIP
D/B/A SOMERSET INN

PAGE 3
COMPLAINT NO. 5-170523

continuous days, to run consecutively and not concurrently with any other suspension
Ordered by the MLCC, if the total fine of \$400 is not paid within forty-five (45) days from
the mailing date of this Order.

MICHIGAN LIQUOR CONTROL COMMISSION



Edward D. Clemente, Commissioner

Date Mailed: ~~APR 24 2015~~

EDC: 5-170523/AML

LCC Liquor Licensee History

Business name: **Somerset Inn "Crumpets"**
 Address: 2601 W. Big Beaver (248) 643-7800
 Licensee: Somerset Inn Limited Partnership
 License type: **B-Hotel, SDM**
 Permits: Sunday Sales, Direct Connection-1, Dance-Entertainment, Food, 3 bars
 Comments:

Date	Troy Incident #	Type	Disposition	Date
07/31/91	91-22267	Sale to minor (Compliance test)	Fined \$200	10/09/92
08/11/94	94-27028	Sale to minor (Compliance test)	Fined \$300 per charge	05/12/95
02/22/99	99-07199	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/16/99	99-27094	Compliance Test	PASSED	
11/23/99	none	Compliance Test	PASSED	
07/26/00	none	Compliance Test	PASSED	
08/06/00	00-28771	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/25/00	00-39551	Compliance Test	PASSED	
11/17/00	00-42658	Compliance Test	PASSED	
11/30/00	00-44185	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/17/01	01-01988	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/17/01	01-09254	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/03/01		Compliance Test	PASSED	
08/17/01	01-29645	Compliance Test	PASSED	
09/13/01	01-32997	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/05/01	01-36170	Compliance Test	PASSED	
01/04/02	02-00422	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/01/02	02-06524	Compliance Test	PASSED	
04/22/02	02-12427	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/28/02	02-20757	Compliance Test	PASSED	

09/09/02	02-29845	Liquor Inspection (Road Patrol- Zagacki)	NO VIOLATIONS
10/18/02	02-34352	Compliance Test	PASSED
11/10/02	02-36730	Liquor Inspection (Road Patrol- Zagacki)	NO VIOLATIONS
01/04/03	03-460	Liquor Inspection (Road Patrol- Zagacki)	NO VIOLATIONS
03/01/03	03-6304	Liquor Inspection (Road Patrol-Isham/Zagacki)	NO VIOLATIONS
04/25/03	03-12388	Compliance Test	PASSED
06/26/03	03-19493	Compliance Test	PASSED
07/28/03	03-23349	Liquor Inspection (Road Patrol-Feld)	NO VIOLATIONS
09/08/03	03-28018	Liquor Inspection (Road Patrol-Feld)	NO VIOLATIONS
09/09/03	03-28190	Liquor Inspection (Road Patrol-Feld)	NO VIOLATIONS
10/28/03	03-33338	Compliance Test	PASSED
12/02/03	03-36943	Liquor Inspection (Road Patrol-Sewell)	NO VIOLATIONS
02/03/04	04-	Liquor Inspection (Road Patrol-Sewell)	NO VIOLATIONS
03/01/04	04-06182	Liquor Inspection (Road Patrol-Sewell)	NO VIOLATIONS
03/23/04	04-08539	Compliance Test	PASSED
05/12/04	04-13802	Liquor Inspection (Road Patrol- Drewek)	NO VIOLATIONS
07/28/04	04-22908	Liquor Inspection (Road Patrol- Drewek)	NO VIOLATIONS
12/16/04	04-39935	Liquor Inspection (Road Patrol- Isham)	NO VIOLATIONS
03/04/05	05-07354	Compliance Test	PASSED
03/10/05	05-08018	Liquor Inspection (Road Patrol- Isham)	NO VIOLATIONS
03/24/05	05-09612	Liquor Inspection (Road Patrol- Isham)	NO VIOLATIONS
08/09/05	05-27956	Liquor Inspection (Road Patrol- Zagacki)	NO VIOLATIONS
06/05/06	06-21217	Liquor Inspection (Road Patrol- Villerot)	NO VIOLATIONS
08/22/06	06-32577	Liquor Inspection (Road Patrol- Villerot)	NO VIOLATIONS
09/17/06	06-36142	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS
11/07/06	06-42526	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS
01/15/07	07-1827	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS
01/24/07		Compliance Test	PASSED
05/10/07	07-17197	Compliance Test	PASSED
08/19/07	07-31597	Liquor Inspection (Road Patrol-Raczka)	NO VIOLATIONS

09/16/07	07-35482	Liquor Inspection (Road Patrol-Raczka)	NO VIOLATIONS
09/21/07	07-36180	Liquor Inspection (Road Patrol-Raczka)	NO VIOLATIONS
10/18/07	07-32213	Compliance Test	PASSED
12/13/07	07-45889	Compliance Test	PASSED
02/21/08	08-6643	Compliance Test	PASSED
05/19/08	08-17478	Liquor Inspection (Road Patrol-Laforest)	NO VIOLATIONS
05/21/08	08-17691	Compliance Test	PASSED
07/06/08	08-23859	Liquor Inspection (Road Patrol-Laforest)	NO VIOLATIONS
09/02/08	08-30781	Liquor Inspection (Road Patrol-Laforest)	NO VIOLATIONS
10/02/08	08-34334	Compliance Test	PASSED
10/16/08	08-35953	Liquor Inspection (Road Patrol-Maczka)	NO VIOLATIONS
12/30/08	08-44532	Compliance Test	PASSED
01/01/09	09-81	Liquor Inspection (Road Patrol-Maczka)	NO VIOLATIONS
02/15/09	09-5470	Liquor Inspection (Road Patrol-Maczka)	NO VIOLATIONS
04/29/09	09-13325	Liquor Inspection (Road Patrol-Laforest)	NO VIOLATIONS
05/07/09	09-14282	Compliance Test	PASSED
07/24/09	09-23400	Liquor Inspection (Road Patrol-Laforest)	NO VIOLATIONS
09/15/09	09-29276	Liquor Inspection (Road Patrol-Laforest)	NO VIOLATIONS
10/28/09	09-33766	Compliance Test	PASSED
10/29/09	09-33988	Liquor Inspection (Road Patrol-Giordano)	NO VIOLATIONS
12/17/09	09-39289	Compliance Test	PASSED
02/27/10	10-5771	Liquor Inspection (Road Patrol-Giordano)	NO VIOLATIONS
04/08/10	10-9938	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS
06/02/10	10-16009	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS
07/19/10	10-21199	Compliance Test	PASSED
08/05/10	10-23534	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS
09/01/10	10-26715	Compliance Test	PASSED
10/27/10	10-32888	Compliance Test	PASSED
10/28/10	10-33113	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
12/15/10	10-38445	Compliance Test	PASSED

12/16/10	10-38620	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
02/28/11	11-6180	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
05/05/11	11-13017	Compliance Test	PASSED
06/21/11	11-17910	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
07/19/11	11-21032	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
08/29/11	11-25599	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
10/30/11	11-32438	Liquor Inspection (Road Patrol-Villerot)	NO VIOLATIONS
12/08/11	11-36821	Compliance Test	PASSED
01/11/12	12-1031	Liquor Inspection (Road Patrol-Villerot)	NO VIOLATIONS
02/28/12	12-6391	Liquor Inspection (Road Patrol-Villerot)	NO VIOLATIONS
05/10/12	12-14777	Compliance Test	PASSED
10/26/12	12-35546	Liquor Inspection (Road Patrol-Shuler)	NO VIOLATIONS
11/12/12	12-37617	Compliance Test	PASSED
01/09/13	13-1018	Liquor Inspection (Road Patrol-Shuler)	NO VIOLATIONS
02/28/13	13-6437	Liquor Inspection (Road Patrol-Shuler)	NO VIOLATIONS
03/19/13	13-8589	Compliance Test	PASSED
05/02/13	13-13323	Liquor Inspection (Road Patrol-Yunkari)	NO VIOLATIONS
06/28/13	13-20240	Liquor Inspection (Road Patrol-Yunkari)	NO VIOLATIONS
08/23/13	13-26860	Liquor Inspection (Road Patrol-Yunkari)	NO VIOLATIONS
11/05/13	13-35005	Compliance Test	PASSED
11/10/13	13-35684	Liquor Inspection (Road Patrol-Alter)	NO VIOLATIONS
01/14/14	14-1724	Liquor Inspection (Road Patrol-Shuler)	NO VIOLATIONS
03/01/14	14-6627	Compliance Test	PASSED
03/10/14	14-7599	Liquor Inspection (Road Patrol-Hutson)	NO VIOLATIONS
05/10/14	14-13878	Liquor Inspection (Road Patrol-McLaughlin)	NO VIOLATIONS
07/13/14	14-21165	Liquor Inspection (Road Patrol-McLaughlin)	NO VIOLATIONS
08/24/14	14-26078	Liquor Inspection (Road Patrol-McLaughlin)	NO VIOLATIONS
10/09/14	14-30930	Liquor Inspection (Road Patrol-Battaglia)	NO VIOLATIONS
12/22/14	14-39190	Liquor Inspection (Road Patrol-Giovannoni)	NO VIOLATIONS

02/25/15	15-5779	Compliance Test (DPU) Sale to Minor	VIOLATION Fined \$400
03/01/15	15-6913	Liquor Inspection (Road Patrol-Giovannoni)	NO VIOLATIONS
05/12/15	15-15440	Liquor Inspection (Road Patrol-Muhlenbeck)	NO VIOLATIONS
07/14/15	15-23083	Liquor Inspection (Road Patrol-Muhlenbeck)	NO VIOLATIONS
08/29/15	15-28350	Liquor Inspection (Road Patrol-Pizzorni)	NO VIOLATIONS
11/08/15	15-36662	Liquor Inspection (Road Patrol-Giovannoni)	NO VIOLATIONS

*this
incident*



MEMORANDUM

TO: Members of the Troy City Council
 FROM: Lori Grigg Bluhm, City Attorney *LEB*
 Julie Quinlan Dufrane, Assistant City Attorney *JQD*
 DATE: March 4, 2016
 SUBJECT: Liquor Violation Hearing – Target Corp. (d/b/a Target #1313)

On February 25, 2015, the Troy Police Department conducted underage decoy inspections for liquor licensed establishments in the City of Troy. The team went to Target, a business located at 1301 N. Coolidge Hwy., where an underage minor decoy was able to purchase a six (6) pack of bottled beer from one of the cashiers. The person who sold the beer to the minor initially failed to respond to the civil infraction, and the matter fell into default with the Court. The matter was finally disposed of on June 8, 2015 when the respondent pled responsible to the charge of *furnishing, sale to person under 21* and paid the \$100 fine. Late fees were waived by the Court. A copy of the reports documenting the alleged violation is attached to this memo as well as a copy of the licensee's history.

Target Corp. has an SDM liquor license which means alcohol is sold to patrons for consumption off the premises. Under Michigan law, a local unit of government may request, by resolution, that the MLCC revoke the license of an off-premises licensee if the licensee has sold or furnished alcohol to a minor on at least three separate occasions in a consecutive twelve month period. A liquor license violation, such as the sale of alcohol to a minor, could serve as a basis for objecting to the automatic renewal of the liquor license if there are three or more such violations in a consecutive twelve month period, as the possession of SDD and SDM liquor licenses is a privilege. Prior to taking any adverse action, the licensee is entitled to a due process hearing which provides the licensee an opportunity to challenge the violation and allows the licensee to come forward with any proactive measures it has taken to guard against future liquor license violations. In the due process hearing, the City has the obligation to prove that there was a violation. The liquor violation hearing is scheduled in advance, with notice sent by mail to the licensee.

It should be noted that the licensee acknowledged the violation, waived its right to a hearing, and was ordered to pay a fine of \$500 by the Michigan Liquor Control Commission (MLCC).

Please let us know if you have any questions.



Michigan Department of Licensing and Regulatory Affairs
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1998)

This report is not to be faxed or electronically submitted - an original signature is required.

* OFFICERS please obtain License No., Bus. ID and File # directly from the liquor license *

Table with 4 columns: License Number, Business ID, File Number, Name of Licensee, Mailing Address, Township, County, Type of License(s) & Permit(s), Date of violation, Day, Date, Time.

Violation Type: X Minor Intoxicated Person Gambling Controlled Substances
Prohibited Conduct Failure to Cooperate Fighting (must be inside licensed premises)
After Hours Sales / Consumption Other (explain):

If MINOR: Birth date 05/05/96 Was this a DECOY? X Yes No If No, you MUST answer below!
If above minor violation was NOT a decoy, describe enforcement action taken:

NOTE! COPY OF APPEARANCE TICKET MUST BE ATTACHED.

Submit Report Below or Indicate Attached Report Number 15-5781

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature]
Officer Signature [Signature]
Officer Signature [Signature]
Department Name Troy Police Department

Name and Title Sergeant Nathan Gobler
Name and Title Officer Victor Bordo
Name and Title Officer Gregory Stopczynski
Telephone Number 248-524-3477

WITNESSES

- 1. Name Decoy [Redacted]
Will testify to: Minor who purchased alcohol
2. Name Cortria Williams
Will testify to: Sold alcohol to minor
3. Name Michael Anderson
Will testify to: Manager on duty
4. Name
Will testify to:
5. Name
Will testify to:

Address 500 West Big Beaver Road
Address [Redacted]
Address [Redacted]
Address
Address

EVIDENCE

Location Held (Explain) Receipt; photo of six-pack of Bud Light
LC-600 Rev. 03/05 4880-2362

CR No: 150005781-001 	Report Type: Crime Report	Officer: TRSTOPCZYNSKIG (150335)	001
---	------------------------------	-------------------------------------	------------

TROY PD
500 W. BIG BEAVER
TROY MI 48084
248-524-3477



Case Report

Administrative Details:

CR No 150005781-001	Subject 4171 - Violation of Liquor Control Laws [41001]
Report Date/Time 02/20/2015 01:47	Occurrence Date/Time 02/20/2015 01:47
Location 1301 COOLIDGE HWY	Call Source FIELD INITIATED
Dispatched Offense C3309 LIQUOR INSPECT	Verified Offense 4171 Violation of Liquor Control Laws
County 63 - Oakland	City/Twp/Village 84 - Troy
Division Patrol DPU	
Report Type Crime Report	
Created By GREGORY STOPCZYNSKI	Created Date/Time 02/25/2015 08:43 PM

CR No: 150005781-001 	Report Type: Crime Report	Officer: TRSTOPCZYNSKIG (150335)	001
---	------------------------------	-------------------------------------	------------

Offenses:

4171 - Violation of Liquor Control Laws [TRSTOPCZYNSKIG (150335)]

IBR Code / IBR Group 90G - Liquor Law Violations / B	Offense File Class 41001 - LIQUOR LICENSE -ESTABLISHMENT
Crime Against SO	Location Type 08 - Department/Discount Store
Domestic Violence No	Hate/Bias 00 - None (No Bias)
Using A-Alcohol: Yes C-Computer Equipment: No D-Drugs/Narcotics: No	Cargo Theft
Offense Completed Completed	

People:

DECOY, (O-OTHER) (X-MISCELLANEOUS) [TRSTOPCZYNSKIG (150335)]

PE:	W.Type:	Last Name DECOY	First Name	Middle Name	Suffix	Mr/Mrs/Ms
DOB (Age) 08/31/1996 (18)	Sex M	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
Street Address 500 W. BIG BEAVER	Apt #	County	Country	Home Phone	Work Phone	
City Troy	State MI	Zip 48083	Cell Phone	Email		
Phone/Email						
Type				Description		
BU-Business Phone #1				2485243477		
Notes DECOY						

ANDERSON, MICHAEL (O-OTHER) (X-MISCELLANEOUS) [TRSTOPCZYNSKIG (150335)]

PE:	W.Type:	Last Name ANDERSON	First Name MICHAEL	Middle Name	Suffix	Mr/Mrs/Ms
DOB (Age)	Sex M	Race WHITE	Ethnicity	Birth City & State	Birth Country	Country of Citizenship
Street Address	Apt #	County	Country	Home Phone	Work Phone	
City Troy	State MI	Zip 48083	Cell Phone	Email		
Notes MANAGER OF TARGET						

GOBLER, NATHAN (O-OTHER) (L-POLICE OFFICER) [TRSTOPCZYNSKIG (150335)]

PE:	W.Type:	Last Name Gobler	First Name Nathan	Middle Name	Suffix	Mr/Mrs/Ms
Street Address 500 W. Big Beaver	Apt #	County OAKLAND	Country USA	Home Phone	Work Phone	
City Troy	State Mi	Zip 48084	Cell Phone	Email		
Phone/Email						
Type				Description		
BU-Business Phone #1				248-524-3477		

BORDO, VICTOR (O-OTHER) (L-POLICE OFFICER) [TRSTOPCZYNSKIG (150335)]

PE:	W.Type:	Last Name	First Name	Middle Name	Suffix	Mr/Mrs/Ms
-----	---------	-----------	------------	-------------	--------	-----------

CR No: 150005781-001 	Report Type: Crime Report	Officer: TRSTOPCZYNSKIG (150335)	001
---	------------------------------	-------------------------------------	------------

Bordo		Victor					
Street Address 500 W. Big Beaver		Apt #	County OAKLAND	Country USA	Home Phone	Work Phone	
City Troy		State Mi	Zip 48084	Cell Phone	Email		
Phone/Email							
Type				Description			
BU-Business Phone #1				248-524-3477			

STOPCZYNSKI, GREGORY (O-OTHER) (L-POLICE OFFICER) [TRSTOPCZYNSKIG (150335)]								
PE:	W.Type:	Last Name Stopczynski		First Name Gregory		Middle Name	Suffix	Mr/Mrs/Ms
Street Address 500 W. Big Beaver		Apt #	County OAKLAND	Country USA	Home Phone	Work Phone		
City Troy		State Mi	Zip 48084	Cell Phone	Email			
Phone/Email								
Type				Description				
BU-Business Phone #1				248-524-3477				

WILLIAMS, CORTRIA ANTONETTE (O-OTHER) [TRSTOPCZYNSKIG (150335)]								
PE:	W.Type:	Last Name WILLIAMS		First Name CORTRIA		Middle Name ANTONETTE	Suffix	Mr/Mrs/Ms
DOB (Age)	Sex F	Race BLACK	Ethnicity Unknown	Birth City & State	Birth Country	Country of Citizenship		
Street Address		Apt #	County	Country	Home Phone	Work Phone		
City		State MI	Zip	Cell Phone	Email			
Notes SELLER OF ALCOHOL TO MINOR								

Property:			
1812 - Receipt 5448 [TRSTOPCZYNSKIG (150335)]			
Property Class 48	IBR Type 48 - Documents/Personal or Business	UCR Type K - Miscellaneous	
Status E - Evidence (Including Other Seized Property And Tools)	Count 1	Value 1	
Description RECEIPT AND PHOTO	Disposition	Evidence Tag 150005781.001	
Recovered Date/Time	Location	Owner [redacted]	
Notes RECEIPT OF PURCHASE FROM TARGET PHOTO OF 6 PACK BUDLIGHT BOTTLES			

Narrative:

Troy # 15-5781 / LCC Violation

On 02/25/2015 at approximately 1757hrs, DPU Officers were conducting LCC checks with minor decoy identified as [REDACTED] identification was confiscated and held for safe keeping by the Troy Police Department.

At approximately 1757hrs, decoy [REDACTED] entered into the Target store located at 1301 N. Coolidge in Troy. After entering the store, decoy [REDACTED] retrieved a six pack of Bud Light bottles and walked to counter #16 to purchase. The cashier, Cortria Williams, was at counter #16 asked [REDACTED] what his birth date is. [REDACTED] responded "1996". Ms. Williams typed into her automated register and the screen flashed red. (which is a warning for underage person). Ms. Williams then entered another date causing the transaction to complete. Ms. Williams then stated to [REDACTED] "I got those beers for you, next time you come in say 1992". Ms. Williams sold the Bud light to decoy [REDACTED] without asking him for identification. At this point Decoy JH1 returned directly to DPU Officers and advised us of the sale.

DPU Officer's made the location and spoke with the clerk Cortria Williams. DPU Officers advised Ms. Williams of the above listed violation of the Michigan Liquor Control Commission. Ms. Williams was informed of the violation she committed and was issued citation#15TR02039 for furnishing/sale to a person under 21/fail to inquire of age (during enforcement action). Ms. Williams verbally admitted to me that she wanted to help [REDACTED] he didn't make a complaint at the service desk. Officers retained the sales receipt of \$7.48 for the Bud light and obtained a photograph of the Bud light bottles and later turned it over to Troy property as evidence. The purchased items were disposed of. Violation report to be submitted to LCC.

PO Stopczynski made contact with Michael Anderson who is the manager at the Target store. Mr. Anderson was informed of the violation.
No further action taken.

NARRATIVE REPORT WITNESS STATEMENT

SUPP CORR DELETE PAGE 1 OF 1

01	DATE 02/25/15	DAY WED	SHIFT 02	PLAT 04	BADGE 1 066	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> CLR EXCEPT	<input type="checkbox"/> UNF <input type="checkbox"/> INACT	PRIM CLASS	YEAR 15	INCIDENT # 5781
----	------------------	------------	-------------	------------	----------------	---------	---	--	------------	------------	--------------------

02 Name: [REDACTED] DOB: 8/31/96 Home Phone: _____
(PLEASE PRINT)

03 Address: 500 W. Big Beaver Business Phone: _____

04 City: Troy MI 49084 State: _____ Zip: _____

05 E-mail Address: _____ Cell Phone: _____

06 When going to the Target at 1301 N. Coolidge I walked
07 in and selected a six pack of Budlight. I walked over to
08 check out #16. I put the beer on the counter. The black female
09 cashier scanned the beer then asked for my birth date. I said "1996"
10 and when she typed in the year the screen flashed red.
11 She then entered a new date and looked at me and said "I
12 got these beers for you?" Then she said "Next time you come in
13 just say 1992". At no time did she ask for my I.D. either. I then handed
14 her the money. I then walked out of the store with the beer and
15 handed it over to officer Stopczynski [REDACTED]

16 _____

17 _____

18 _____

19 _____

20 _____

21 _____

22 _____

23 _____

24 _____

25 _____

26 _____

27 X: _____

28 Taken By: [Signature] (SIGNATURE)

29 Place: 500 W. Big Beaver Date: 2-25-15 Time: 20:00

INVESTIGATING OFFICER(S)	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
--------------------------	-------------	---------------------	--------------

**State of Michigan
Uniform Law Citation**

Ticket No. **15TR02039** Victim Involved

US DOT # _____ Incident No. **15-5781** Dept. No. **6378400 (TR-TR)****

The People of: the State of Michigan
 Township City Village County

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC _____ 1 of 1

THE UNDERSIGNED Month Day Year At approximately A.M. P.M. Date Month Day Year
SAYS THAT ON: **02 25 15 05:57**

State Oper./Chauff. Driver License Number _____
 CDL

Race Sex Height Weight Hair Eyes Occupation/Employer
B F 5 10 150 BRN

Name (First, Middle, Last) **CORTRIA ANTONETTE WILLIAMS**

Street _____

City _____ State **MI** Zip Code _____

Vehicle Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
UPON **1301 N. COOLIDGE HWY**
AT OR NEAR **W. MAPLE**
WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
COUNTY OF **OAKLAND** DID THE FOLLOWING

Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend. 9300556	FURNISHING, SALE TO PERSONS UNDER 21 AND/OR FAILURE TO INQUIRE AS TO AGE DURING ENFORCEMENT ACTION	1
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s)
1 **98.10.14** 2 _____ 3 _____

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: **TARGET**

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate
Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
Appearance Date on or before **03/11/2015 8:30AM**

Hearing Date (if applicable) on _____ Contact Court
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52ND DISTRICT COURT** Court of **TROY**
Court Address & Phone Number **52ND DISTRICT COURT, 4TH DIVISION
520 WEST BIG BEAVER ROAD
TROY, MI 48084
(248) 528-0400**

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable Month Day Year
G. STOPCZYNSKI 02 25 15

Officer's Name (printed) Officer's ID No.
G. STOPCZYNSKI 66

Agency ORI Agency Name
MI- 6378400 TROY PD

UC-01a Online payment Web site: <https://courts.oakgov.com/OakEtix/>
(rev. 6/05)

Ticket
15TR02039
Name
WILLIAMS, CORTRIA
Case No.



TROY - 248-614-9792
02/25/2015 05:57 PM EXPIRES 05/26/15



MISC				
213030002	BUD LIGHT	T		\$6.49
213980278	DEPOSIT	N		\$0.60
			SUBTOTAL	\$7.09
T = MI TAX	6.0000%	on	\$5.49	\$0.39
			TOTAL	\$7.48
			CASH PAYMENT	\$10.00
			CHANGE DUE	\$2.52

Target Pharmacy We're Here to Help!
9am - 7pm M-F
9am - 5pm Sat
11am - 5pm Sun

REC#2-5056-1313-0086-0142-2 VCD#756-289-95

MONTHLY
\$1500
GIFTCARD



PLUS 6
Instant
winners!

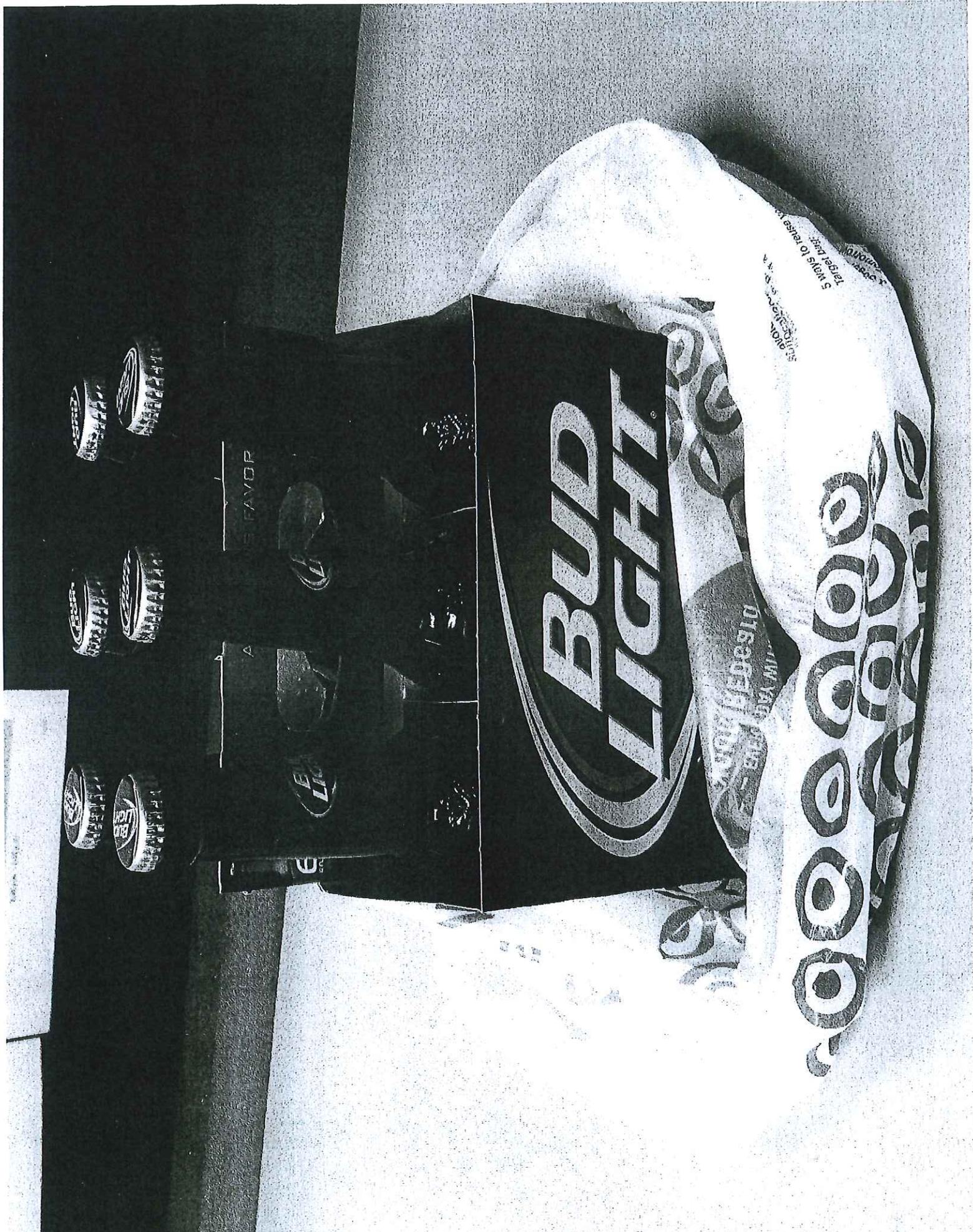
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TELL US ABOUT YOUR VISIT WITHIN 72 HOURS
ON OUR GUEST SATISFACTION SURVEY

www.informtarget.com
User ID: 7494 3863 7991
Password: 398 578

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A \$1500 TGT GiftCard national sweepstakes
---PLUS---
Six \$25 instant TGT GiftCard winners/state

Tenga la oportunidad mensual de ganar:
Una tarjeta TGT GiftCard de \$1500 en un
sorteo nacional Y
Seis ganadores por estado al instante de
una tarjeta TGT GiftCard de \$25.
18+ TO ENTER,
TARGET TEAM AND FAMILY NOT ELIGIBLE.
FOR COMPLETE RULES, SEE GUEST SERVICE
OR WWW.INFORMTARGET.COM



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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

IN RE: TARGET CORPORATION
D/B/A TARGET #1313
1301 COOLIDGE
TROY, MI 48084

COMPLAINT NO. 5-170522
BUSINESS ID NO. 223549

SDM SS (AM) DIR-CON-2

CHARGE – FEBRUARY 25, 2015

- (1) Sold or furnished alcoholic liquor to unnamed minor, [redacted] date of birth August 31, 1996, who was less than twenty-one (21) years old, contrary to Const 1963, art 4§ 40 and contrary to Section 801(2) and/or Section 701 (1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

FINDINGS OF FACT

The Commissioner finds as fact, based upon the signature on the Michigan Liquor Control Commission's (MLCC) Waiver and Acknowledgment form of Rachael Vegas, Vice-President of the above-noted Licensed Corporation, that under administrative rule R 436.1907 of the Michigan Administrative Code, the Licensee in this case has voluntarily waived the right to a hearing to contest the cited allegation in this matter and has entered a plea of acknowledgment to the one charge stated in Case No. 5-170522.

The Commissioner accepts the Violation Report of this case, along with any attachments therein, and a True Copy of the prior record of this Licensee at the above-named location as evidence in lieu of testimony in this matter.

The Commissioner believes and finds as fact, based on the Violation Report and

attachments therein, that minor decoy [REDACTED] while under the direction of the Troy Police Department, entered the above-named licensed establishment on February 25, 2015, and purchased alcoholic liquor from an employee of the above-named Licensee without showing proper proof of age.

The Commissioner further finds that the employee of the above-named Licensee in this case did not ask for identification, was not shown proper proof of age, and did not make a diligent inquiry to determine the proper true age of the purchaser.

The Commissioner further believes and finds as fact, based on the Violation Report and attachments therein, that at the time of this incident, minor decoy [REDACTED] born August 31, 1996, was 18 years of age.

CONCLUSIONS OF LAW

Based upon the aforementioned Findings of Fact, the Commissioner concludes that the Licensee in Case No. 5-170522 did violate MCL 436.1801(2) of the Michigan Liquor Control Code, as cited.

ORDER

In determining this violation's penalty, the Commissioner considered the Licensee's total record at the above-named location, which shows no prior violations since securing MLCC licensure on February 18, 2011.

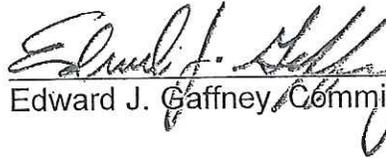
Therefore, the Commissioner Orders a penalty fine of \$500 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of twenty-five (25) continuous days, to run consecutively and not concurrently with any other

TARGET CORPORATION
D/B/A TARGET #1313

PAGE 3
COMPLAINT NO. 5-170522

suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

MICHIGAN LIQUOR CONTROL COMMISSION



Edward J. Gaffney, Commissioner

Date Mailed: APR 16 2015

EJG: 5-170522/AML

LCC Liquor Licensee History

Business name: **Target**
 Address: 1301 Coolidge
 Licensee: Target Corp.
 License type: SDM
 Permits: Sunday Sales, Direct Connection-2
 Comments:

Date	Troy Incident #	Type	Disposition	Date
03/19/2007		Council approves new SDM		
06/21/07	07-29979	Compliance Test	PASSED	
12/06/10		City Council approves request for New SDM license with On-Premise Seating, with new Direct Connection-2		
05/05/11	11-13024	Compliance Test	PASSED	
11/14/11	11-34138	Liquor Inspection (Road Patrol-Denny)	NO VIOLATIONS	
12/08/11	11-36823	Compliance Test	PASSED	
01/11/12	12-1136	Liquor Inspection (Road Patrol-Denny)	NO VIOLATIONS	
02/28/12	12-6395	Liquor Inspection (Road Patrol-Denny)	NO VIOLATIONS	
05/10/12	12-14779	Compliance Test	PASSED	
05/14/12	12-15309	Liquor Inspection (Road Patrol-Rushton)	NO VIOLATIONS	
07/22/12	12-24394	Liquor Inspection (Road Patrol-Rushton)	NO VIOLATIONS	
08/26/12	12-28587	Liquor Inspection (Road Patrol-Rushton)	NO VIOLATIONS	
10/30/12	12-35967	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
11/12/12	12-37619	Compliance Test	PASSED	
12/27/12	12-42485	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
03/04/13	13-6813	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
03/19/13	13-8592	Compliance Test	PASSED	
04/06/13	13-10464	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS	

05/14/13	13-14690	Liquor Inspection (Road Patrol-Villerot)	NO VIOLATIONS
05/29/13	13-16484	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS
08/07/13	13-24925	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS
09/15/13	13-29493	Liquor Inspection (Road Patrol-Villerot)	NO VIOLATIONS
10/06/13	13-31774	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS
11/05/13	13-35007	Compliance Test	PASSED
11/21/13	13-36845	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS
02/14/14	14-4956	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS
03/01/14	14-6629	Compliance Test	PASSED
05/16/14	14-14545	Liquor Inspection (Road Patrol-Morse)	NO VIOLATIONS
07/09/14	14-20724	Liquor Inspection (Road Patrol-Morse)	NO VIOLATIONS
11/05/14	14-34147	Liquor Inspection (Road Patrol-Linton)	NO VIOLATIONS
01/07/15	15-680	Liquor Inspection (Road Patrol-Linton)	NO VIOLATIONS
02/25/15	15-5781	Compliance Test (DPU) Sale to Minor	VIOLATION Fined \$500
05/15/15	15-15741	Liquor Inspection (Road Patrol-Debano)	NO VIOLATIONS
07/12/15	15-22831	Liquor Inspection (Road Patrol-Sollars)	NO VIOLATIONS
08/14/15	15-26640	Liquor Inspection (Road Patrol-Obrien)	NO VIOLATIONS
10/22/15	15-34762	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS
11/24/15	15-38553	Compliance Test	PASSED

this incident