

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, March 14, 2016, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 6:04 PM.

B. ROLL CALL:

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

C. PUBLIC HEARINGS:**C-1 Liquor Violations:****a) A & S Babi, Inc. (dba: John's Party Store):**

The Mayor opened the Public Hearing at the 6:00 PM City Council Liquor Violation Hearings held on Monday, February 22, 2016. Assistant City Attorney Julie Dufrane presented the facts of the case.

The Mayor closed the Public Hearing after hearing comments from the Licensee and Nancy Morrison, Executive Director of the Troy Community Coalition.

Moved by Pennington
Seconded by Henderson

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

Name: 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, 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 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.

Motion to Amend C-01a Liquor Violations – A&S Babi, Inc. (dba John's Party Store)

Resolution #2016-03-037
 Moved by Henderson
 Seconded by Abraham

RESOLVED, That Troy City Council hereby **AMENDS** C-01a Liquor Violations – A&S Babi, Inc. (dba John's Party Store) to **STRIKE** "within 90 days of today's date" and "that immediately upon completion".

Yes: All-7
 No: None

MOTION CARRIED

Resolution as Amended C-01a Liquor Violations – A&S Babi, Inc. (dba John's Party Store)

Resolution #2016-03-038
 Moved by Pennington
 Seconded by Henderson

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

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

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

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

Yes: All-7
No: None

MOTION CARRIED

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

Resolution #2016-03-039
Moved by Henderson
Seconded by Pennington

The Mayor opened the Public Hearing at the 6:00 PM City Council Liquor Violation Hearings held on Monday, February 22, 2016. Assistant City Attorney Julie Dufrane presented the facts of the case.

The Mayor closed the Public Hearing after hearing comments from the Licensee.

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, 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 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: All-7
No: None

MOTION CARRIED

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

Resolution #2016-03-040
Moved by Abraham
Seconded by Campbell

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

The Mayor closed the Public Hearing after hearing comments from the Licensee.

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: All-7
No: None

MOTION CARRIED

d) JJWM, LLC (dba: Café Sushi):

Resolution #2016-03-041
Moved by Pennington
Seconded by Hodorek

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

The Mayor closed the Public Hearing after hearing comments from the Licensee.

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: All-7
No: None

MOTION CARRIED

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

Resolution #2016-03-042

Moved by Henderson

Seconded by Baker

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

The Mayor closed the Public Hearing after hearing comments from the Licensee.

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.

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

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

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

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

Yes: All-7
No: None

MOTION CARRIED

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

Resolution #2016-03-043
Moved by Henderson
Seconded by Pennington

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

The Mayor closed the Public Hearing after hearing comments from the Licensee.

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.

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

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

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

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

Yes: All-7
No: None

MOTION CARRIED

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

Resolution #2016-03-044
Moved by Pennington
Seconded by Hodorek

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

The Mayor closed the Public Hearing after hearing comments from the Licensee.

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.

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

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

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

Yes: All-7
No: None

MOTION CARRIED

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

Resolution #2016-03-045
Moved by Abraham
Seconded by Henderson

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

The Mayor closed the Public Hearing after hearing comments from the Licensee.

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.

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

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

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

Yes: All-7
No: None

MOTION CARRIED

i) **Target Corp. (dba: Target):**

Resolution #2016-03-046
Moved by Hodorek
Seconded by Pennington

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

The Mayor closed the Public Hearing after hearing comments from the Licensee.

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.

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: All-7
No: None

MOTION CARRIED

D. PUBLIC COMMENT:

E. ADJOURNMENT:

The Meeting **ADJOURNED** at 7:17 PM.

Mayor Dane Slater

M. Aileen Dickson, MMC
City Clerk