

## CITY COUNCIL ACTION REPORT

January 15, 2008

TO: Phillip L. Nelson, City Manager

FROM: Charles T. Craft, Chief of Police *CT*  
 Captain Colleen Mott, Support Services Division *CCM*  
 Sergeant Robert Cantlon *RC*

SUBJECT: Application for transfer of Class C license Cameron Mitchell Restaurants, LLC.

### Background:

- Cameron Mitchell Restaurants, LLC., requests to transfer ownership of 2007 Class C licensed business with entertainment permit, currently in escrow, from Hooters of Troy located at 1686 John R, Troy. It will operate as the Ocean Club at the southwest corner of W. Big Beaver and Coolidge.
- On January 14, 2008, applicant's attorney, John Carlin answered questions for the Liquor Advisory Committee.
- Mr. Carlin explained to the Committee Cameron Mitchell Restaurants was founded in 1993 by Cameron Mitchell and they currently operate 31 restaurants in eight states.
- Ocean Club will operate as an upscale restaurant offering a variety of seafood and other dishes.
- The Committee unanimously approved this request.

### Financial Considerations:

- There are no financial considerations for the City.

### Legal Considerations:

- The request complies with all applicable Troy City ordinances and Michigan Liquor Control Commission rules.
- The Police Department did not find any disqualifying factors for this request.
- The MLCC requires local government approval for the transfer of a Class C license.

### Policy Considerations:

- City Goal III: "Retain and attract investment while encouraging redevelopment".

Options:

- City Council can approve or deny the request.

A regular meeting of the Liquor Advisory Committee was held on Monday, January 14, 2008 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Committee member Henry W. Allemon called the meeting to order at 6:55 p.m.

**ROLL CALL:**

**PRESENT:** Henry W. Allemon  
W. Stan Godlewski  
Patrick C. Hall  
David S. Ogg  
Timothy P. Payne  
Bohdan L. Ukrainec  
Clark Yuan, Student Representative  
Susan Lancaster, Assistant City Attorney  
Sergeant Robert Cantlon  
Pat Gladysz

**ABSENT:** Max K. Ehlert, Chairman

**Resolution to Excuse Committee Member Ehlert**

Resolution #LC2008-01-001  
Moved by Ukrainec  
Seconded by Payne

RESOLVED, that the absence of Committee member Ehlert at the Liquor Advisory Committee meeting of January 14, 2008 BE EXCUSED.

Yes: 6  
No: 0  
Absent: Ehlert

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**Resolution to Approve Minutes of December 10, 2007 Meeting**

Resolution #LC2008-01-002  
Moved by Payne  
Seconded by Hall

RESOLVED, that the Minutes of the December 10, 2007 meeting of the Liquor Advisory Committee be approved.

Yes: 6  
No: 0  
Absent: Ehlert

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### Agenda Items

1. **Cameron Mitchell Restaurants, LLC** (An Ohio Limited Liability Company) requests to transfer ownership of 2007 Class C licensed business with entertainment permit, located in escrow at 1686 John R, Troy, MI 48084, Oakland County, from Hooters of Troy, Inc. (A Georgia Corporation); transfer location to SW corner of Coolidge & Big Beaver, Troy, MI 48084, Oakland County; and requests a new SDM license to be held in conjunction, new Official Permit (Food), and new outdoor service area. {MLCC Req ID# 432854}

Present to answer questions from the Committee were Steve Singleton, general manager of Cameron's Steakhouse, and John Carlin, attorney for Cameron Mitchell Restaurants.

New construction is underway for an upscale seafood and steak restaurant at the southwest corner of Coolidge and Big Beaver. The establishment will be called Mitchell's Ocean Club and has the same ownership as Mitchell's Fish Market and Cameron's Steakhouse restaurants. There will be seating for approximately 220 patrons in the dining area, with additional seating on the patio. There is a projected opening date of May 29, 2008, with lunch and dinner service.

Resolution #LC2008-01-003

Moved by Hall

Seconded by Ukrainec

RESOLVED, that Cameron Mitchell restaurants, LLC (An Ohio Limited Liability Company) be allowed to transfer ownership of 2007 Class C licensed business with entertainment permit, located in escrow at 1686 John R, Troy, MI 48084, Oakland County, from Hooters of Troy, Inc. (A Georgia Corporation) to SW corner of Coolidge & Big Beaver, Troy, MI 48084, Oakland County; and be granted a new SDM license to be held in conjunction, new Official Permit (Food), and new outdoor service area.

Yes: 6  
No: 0  
Absent: Ehlert

2. **Hari Om Restaurants, Inc.** requests to transfer ownership of 2007 Class C licensed business located at 2360 Rochester Ct., Troy, MI 48084, Oakland County from **Paragon of Michigan, Inc.** (a Wisconsin Corporation); and requests a new Official Permit (Food). [MLCC REF# 435416]

The attorney for Hari Om Restaurants, Inc. requested that this item be removed from the agenda.

There was a brief discussion of the 2007 liquor violations.

The meeting adjourned at 7:20 p.m.

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Henry W. Allemon

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Patricia A. Gladysz, Secretary II





Michigan Department of Labor & Economic Growth  
**MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)**

7150 Harris Drive, P.O. Box 30005  
Lansing, Michigan 48909-7505

**LAW ENFORCEMENT RECOMMENDATION**

[Authorized by MCL 436.1916, R 436.1105(2)(d) and R 436.1403]

**FOR MLCC USE ONLY**

Request ID # 432854

Business ID # 202644

October 17, 2007

TO:

Re: CAMERON MITCHELL RESTAURANTS, LLC (AN OHIO LIMITED LIABILITY COMPANY)

We have received a request from the above licensee for the type of permit indicated below. Please make an investigation and submit your report and/or recommendation to the offices of the MLCC at the above address. Questions about this request should be directed to the MLCC Licensing Division at (517) 322-1400.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR: FOOD

Weekdays \_\_\_\_\_ A.M. to \_\_\_\_\_ A.M. \_\_\_\_\_

Sundays 11:00 A.M. to 12:00 P.M. \_\_\_\_\_

Recommended  Recommended, subject to final inspection  Not Recommended

**NOTE:** If the applicant is requesting two separate extended hours permits and the permits are for **different hours** you must complete the box below. If additional space is needed please use reverse side of this form.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR:

Weekdays \_\_\_\_\_ A.M. to \_\_\_\_\_ A.M. \_\_\_\_\_

Sundays \_\_\_\_\_ A.M. to \_\_\_\_\_ A.M./P.M. \_\_\_\_\_

Recommended  Recommended, subject to final inspection  Not Recommended

DANCE PERMIT

Recommended  Recommended, subject to final inspection  Not Recommended

ENTERTAINMENT PERMIT

Recommended  Recommended, subject to final inspection  Not Recommended

TOPLESS ACTIVITY PERMIT

Recommended  Recommended, subject to final inspection  Not Recommended

<input checked="" type="checkbox"/> OUTDOOR SERVICE <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> PARTICIPATION PERMIT <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> ADDITIONAL BAR PERMIT <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended
<input type="checkbox"/> OTHER <input type="checkbox"/> Recommended <input type="checkbox"/> Recommended, subject to final inspection <input type="checkbox"/> Not Recommended

Signed:

\_\_\_\_\_  
Signature and Title

\_\_\_\_\_  
Print Name and Title

TROY POLICE DEPARTMENT

Date: \_\_\_\_\_

sfs

## AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this \_\_\_\_ day of \_\_\_\_\_, 200~~8~~, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan 48084, hereinafter known as "THE CITY", and Cameron Mitchell Restaurants, LLC, an Ohio limited liability company, with offices located at 515 Park St., Columbus, OH 43215, hereinafter known as "APPLICANT".

### RECITALS:

1. The City Council of THE CITY, for and inconsideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission, approval of Class C & SDM licenses for the APPLICANT, to be located at SW Corner, Coolidge and Big Beaver, Troy, Michigan 48084, Oakland County (hereinafter "APPLICATION").

2. In consideration of THE CITY'S recommendation for approval of the APPLICATION, APPLICANT hereby agrees that:

- (a) It has read and is aware of the provisions of the City of Troy Ordinances, Chapter Nos. 67, 68, 92 and Chapter No. 98 (effective 02/01/01), and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this Agreement.
- (b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 92-1028 regarding Entertainment Permits, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this Agreement.
- (c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor license business in the City of Troy.
- (d) It agrees to immediately require all employees who serve/sell alcohol, to attend a recognized alcohol awareness program, and forward the names of each certified employee to the Troy Police Department. The alcohol awareness program must either be recognized by the Troy Police Department (i.e., TIPS, TAM, SERV

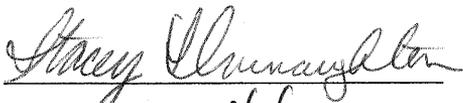
SAFE Alcohol), or the program must be reviewed by the Troy Police Department to insure that the program is comparable to the recognized programs.

3. APPLICANT agrees that the recommendation of Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this Agreement shall occur.

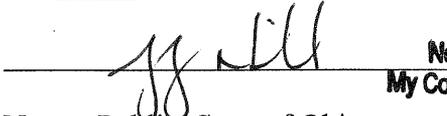
4. APPLICANT agrees that the recommendation of approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including, but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exists, and other physical attributes); and also the nature and type of the business intended to be conducted remain virtually the same.

5. APPLICANT agrees that upon a violation, after full investigation and an opportunity for said APPLICANT to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this Agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.

**Witnesses:**

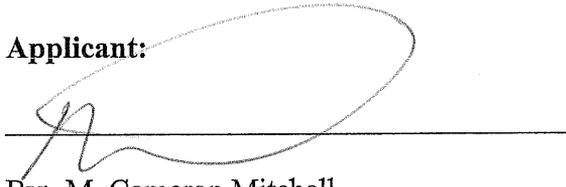
  
\_\_\_\_\_

Subscribed and sworn to before me  
this 29<sup>th</sup> day of October, 2007

  
\_\_\_\_\_

Notary Public, State of Ohio,  
Franklin County  
My commission expires: 08.21.2012

**Applicant:**

  
\_\_\_\_\_

By: M. Cameron Mitchell  
Its: Member/Manager

CITY OF TROY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Louise E. Schilling, Mayor

By: \_\_\_\_\_  
Tonni L. Bartholomew, Clerk

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 2007

\_\_\_\_\_

Notary Public, State of Michigan  
Oakland County  
My commission expires: