



**TO:** Members of Troy City Council  
**FROM:** Lori Grigg Bluhm , City Attorney  
Susan M. Lancaster, Assistant City Attorney  
**DATE:** March 11, 2008  
**SUBJECT:** Continuation of Liquor Violations Hearings

---

Under Michigan liquor laws, each on-premises liquor license is automatically renewed unless City Council, after a due process hearing, objects to this automatic renewal for a specific licensee. It is for this reason that the liquor violation hearings are scheduled for February of each year, since any objection must be received on or before March 31. This year, there were two licensees that were properly notified of the scheduled February 20, 2008 liquor license violation hearings, but failed to appear. In order to accommodate these licensees prior to taking any adverse action, City Council postponed the hearings to a regular City Council regular meeting, which could not be later than March 17, 2008. City Administration then attempted to contact the licensees or their attorneys to reschedule the matter.

The first licensee is La Shish, which has subsequently closed its business. Since there is a value to an escrowed license, La Shish has 30 days to place this liquor license in escrow before forfeiture. Since it is unlikely that the business will re-open during this 30 day period, and since any transfer of the license would require City Council review and approval, it is our recommendation that no action be taken against this liquor license.

The second licensee is May Department Stores, d/b/a Macy's. We immediately contacted the attorney for Macy's, Ms. Sandra Cotter, who explained that there was some miscommunication between the Macy's clerk and her office, which resulted in mistaking the City Council public hearing notices as duplicate notices of the separate MLCC proceedings. Ms. Cotter has taken action to avoid this confusion in the future.

Ms. Cotter has sent the attached letter to the City Clerk, requesting that the liquor violation hearing be scheduled for the regular Council meeting on March 17<sup>th</sup>. She also indicated in a telephone conversation that both of Macy's 2007 liquor license violations would be admitted, and therefore there was no need for the witnesses, police officers, and decoys to attend the City Council meeting. These liquor violations were both admitted at the MLCC.

The first violation involved the sale of a bottle of wine to a female decoy (a minor) at Somerset Collection, 2750 W. Big Beaver Road, on May 10, 2007. The MLCC assessed a fine of \$500 on June 29, 2007 (SDM License). The person who sold the wine pled guilty at the 52-4 District Court, and was required to pay a fine of \$275.00.

The second violation involved the sale of beer to a male decoy (a minor) at the restaurant at the Oakland Mall, 500 W. Fourteen Mile Road, on December 13, 2007. On February 1, 2008, the MLCC assessed a \$600.00 fine for this violation. The 52-4<sup>th</sup> District Court case against the server of the beer is still pending.

A proposed resolution has been prepared for your consideration.

# LCC Liquor Licensee History

Business name: **LaShish**  
 Address: 3720 Rochester  
 Licensee: LaShish, Inc. (313) 441-2900  
 License type: **Class C (100797-2002)**  
 Permits: Sunday Sales  
 Comments: Contact: Mustafa Dakroub (313) 562-7200

Date	Troy Incident #	Type	Disposition	Date
11/20/00		Council approves license transfer from Jacques Mediterranean		
11/01/00	00-40521	Compliance Test	PASSED	
11/17/00	00-42667	Compliance Test	PASSED	
02/08/01	01-04633	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/03/01		Compliance Test	PASSED	
06/06/01	01-19776	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
<b>08/16/01</b>	<b>01-29475</b>	<b>Sale to Minor (Compliance Test)</b>	<b>\$400</b>	<b>10/23/01</b>
10/02/01	01-35422	Compliance Test	PASSED	
10/16/01	01-37330	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/26/02	02-06156	Compliance Test	PASSED	
<b>02/27/02</b>	<b>Council</b>	<b>Public Hearings for 2001 Violation(s)-Resolution requiring TIPS/TAM training for all employees who sell alcohol with proof to the PD within 60 days</b>		
<b>04/16/02</b>		<b>Proof Received (Mgr to be trained as trainer then train staff)</b>		
04/30/02	02-13429	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/27/02	02-20610	Compliance Test	PASSED	
07/25/02	02-24146	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
09/18/02	02-30865	Liquor Inspection (Road Patrol- Sewell)	NO VIOLATIONS	
10/11/02	02-33530	Compliance Test	PASSED	

11/10/02	02-36722	Liquor Inspection (Road Patrol- Drewek)	NO VIOLATIONS	
01/04/03	03-444	Liquor Inspection (Road Patrol- Drewek)	NO VIOLATIONS	
03/06/03	03-6802	Liquor Inspection (Road Patrol- Drewek)	NO VIOLATIONS	
04/24/03	03-12244	Compliance Test	PASSED	
06/20/03	03-18715	Compliance Test	PASSED	
07/15/03	03-21722	Liquor Inspection (Road Patrol- Barton)	NO VIOLATIONS	
08/03/03	03-23997	Liquor Inspection (Road Patrol- Barton)	NO VIOLATIONS	
09/10/03	03-28266	Liquor Inspection (Road Patrol- Barton)	NO VIOLATIONS	
10/28/03	03-33303	<b>Sale to Minor (compliance test)</b>	<b>\$600 fine</b>	<b>12/23/03</b>
01/17/04	04-1713	Liquor Inspection (Road Patrol- Drewek)	NO VIOLATIONS	
02/18/04	<b>Council</b>	<b>Public Hearings for 2003 Violation(s)-Resolution requiring TIPS/TAM training for all employees who sell alcohol with proof to the PD by 03/30/04; employee contracts re: alcohol sales</b>		
02/21/04	04-05314	Liquor Inspection (Road Patrol-Drewek)	NO VIOLATIONS	
03/12/04	04-07352	Liquor Inspection (Road Patrol-Drewek)	NO VIOLATIONS	
03/23/04	04-08562	Compliance Test	PASSED	
03/29/04		<b>Proof received</b>		
05/20/04	04-14702	Liquor Inspection (Road Patrol- Schehr)	NO VIOLATIONS	
06/30/04	04-19832	Compliance Test	PASSED	
08/01/04	04-23365	Liquor Inspection (Road Patrol- Schehr)	NO VIOLATIONS	
09/11/04	04-28953	Liquor Inspection (Road Patrol- Schehr)	NO VIOLATIONS	
11/08/04	04-35455	Liquor Inspection (Road Patrol-Drewek)	NO VIOLATIONS	
03/04/05	05-07321	Compliance Test	PASSED	
05/10/05	05-15457	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS	
05/14/05	05-16013	Liquor Inspection (Road Patrol-Pappas)	NO VIOLATIONS	
09/21/05	05-33520	Liquor Inspection (Road Patrol-Pappas)	NO VIOLATIONS	
12/12/05	05-43713	Liquor Inspection (Road Patrol-Pappas)	NO VIOLATIONS	
05/15/06	06-18192	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS	
07/13/06	06-26761	Liquor Inspection (Road Patrol-Sinutko)	NO VIOLATIONS	

07/26/06		Compliance Test	PASSED
08/25/06	06-33020	Liquor Inspection (Road Patrol-Sinutko)	NO VIOLATIONS
11/18/06	06-43824	Liquor Inspection (Road Patrol-Sinutko)	NO VIOLATIONS
01/24/07	07-1506	Liquor Inspection (Road Patrol-Sinutko)	NO VIOLATIONS
01/24/07		Compliance Test	PASSED
05/10/07	07-17213	Compliance Test	PASSED
10/18/07	07-39731	Liquor Inspection (Road Patrol-Mouch)	NO VIOLATIONS
10/18/07	07-32121	Compliance Test	PASSED
12/07/07	07-46205	Liquor Inspection (Road Patrol-Mouch)	NO VIOLATIONS
12/13/07 12/26/07	07-45807	<b>Compliance Test - Sale to Minor (DPU) Dist Ct MLCC Hearing</b>	<b>Violation P/G \$250 Fine Pending</b>



Michigan Department of Consumer & Industry Services  
**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 No. 100797-2007 SS Business ID 135216 File # \_\_\_\_\_

1. Name of Licensee LaShish, Inc. 2. Doing Business As LaShish

3. Mailing Address (street, city, zip code) 3720 Rochester Road; Troy 48083

4. Township \_\_\_\_\_ 5. County Oakland

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

7. Date of Violation: Thursday 12/13/07 6:35  AM or  PM  
 (DAY) (DATE) (HOUR)

8. Violation Type:  Minor  
 Intoxicated Person  After hours sales/consumption  
 Gambling  Fighting (must be inside licensed premises)  
 Controlled Substances  Failure to Cooperate  
 Prohibited Conduct OTHER: \_\_\_\_\_

if MINOR: Birth date \_\_\_\_\_ 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 # 07-45807

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

Officer Signature [Signature] Name and Title (print) Officer Matthew Redmond

Officer Signature [Signature] Name and Title (print) Officer Daniel Galich

Department Name Troy Police Department Phone # 248-524-3431

WITNESSES

1. Name \_\_\_\_\_ Address 500 W Big Beaver Rd; Troy MI 48084

Will testify to: Purchase - glass of Merlot wine

2. Name Shayla Gries Address 45860 Spring Ln; Shelby Twp MI 48317

Will testify to: Sold alcohol to minor

3. Name Abbas Fakh Address 10628 W Warren; Dearborn MI 48126

Will testify to: Manager

4. Name \_\_\_\_\_ Address \_\_\_\_\_

Will testify to:

5. Name \_\_\_\_\_ Address \_\_\_\_\_

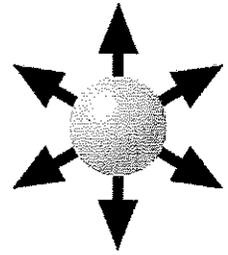
Will testify to:

EVIDENCE

Location Held (Explain): Business - glass of Merlot wine  
Sales receipt

# Case #0700011840

Face Sheet Printed: 12/14/2007 9:10:14 AM  
Case Open Date: 12/13/2007  
Case Close Date: N/A  
Case Subject: C3309 - Liquor Inspection  
Agency: TR - Troy PD



Status: OPEN

CR No: 0700011840.1 Status: S - Submitted

### Involved Entities

Entity Type	Entity Name	Offense
Arrestee	Gries, Shayla Michelle	Liquor Violation - Sell
Property		

Property Type	Property Description	Property Status
Receipt 5488	sales receipt	Evidence (Including Other Seized Property And Tools)

### Call for Service Information

CFS Number: <b>070045807</b>	Disposition: <b>No Report</b>
CFS Date: <b>12/5/2007</b>	Reported Offense: <b>C3309 - Liquor Inspection</b>
Time Received: <b>5:11:50 PM</b>	Verified Offense: <b>C3309 - Liquor Inspection</b>
Time Arrived:	Officers: <b>00048 - Redmond, Matthew</b>
Location: <b>3720 ROCHESTER RD</b>	
City: <b>Troy</b>	

### Assignment History

Officer: **00048 - Redmond, Matthew**  
Date Assigned: **12/13/2007 9:29:59 PM**  
Date Unassigned: **N/A**

# Troy PD Arrest Report

Case No. 0700011840  
Report No. 0700011840.1  
Report Date: 12/13/2007

Troy PD  
500 W Big Beaver  
Troy, MI 48084  
248 524-3477

1

unSubject:	<b>Liquor Violation</b>	
Case Report Status	<b>I - In Process</b>	Entered On <b>12/13/2007 9:30:39 PM</b>
Agency County	<b>63 - Oakland</b>	Entered By <b>00048 - Redmond, Matthew</b>
Agency City/Township	<b>84 - Troy</b>	Reporting Officer <b>00048 - Redmond, Matthew</b>
Occurred On	<b>12/13/2007 6:35:00 PM</b>	Assisted By <b>00019 - Galich, Daniel</b>
Or Between		Agency Assisted
Business Name		Call for Service # <b>070045807</b>
Location	<b>3720 ROCHESTER RD</b>	
CSZ	<b>Troy, MI 48083</b>	
Census/Geo Code		
Jurisdiction		
Grid		
Sector		
Map		
Call Source	<b>Telephone</b>	
Vehicle Activity		
Dir. Veh. Traveling		
Cross Street		
Means		
Motive		
Report Narrative	<b>07-45807</b>	

Ofc Galich and I (Ofc M. Redmond) and Student Enforcement Aide \_\_\_\_\_ went to La Shish located at 3720 Rochester to conduct an L.C.C. inspedtion. \_\_\_\_\_ had no identification with her as it was held at the Troy Police Department. She entered the business and was seated at a table. then ordered a glass of merlot wine. The waitress, later identified as Shayla Gries, did not ask for any form of identification or a date of birth and then served a glass of wine to \_\_\_\_\_ who paid for it with a \$20 bill. \_\_\_\_\_ notified Ofc Galich and I who entered the restaurant and spoke to the Manager - Abbas Fakh. Gries was cited for fail to inquire as to age (citation # 710289). Gries acknowledged selling to Student Enforcement Aide \_\_\_\_\_ and further advised officers she thought she knew from a previous meeting and thought she had saw her identification before and believed she was over 21 years old. I gathered the the necessary information from the restaurant's liquor license and completed the Violation Report and advised Fakh what would be required of him.

The sales receipt was tagged and placed into evidence (tag #143678).

No further action taken.

## Offense Detail: 4102 - Liquor Violation - Sell

Offense Description	<b>4102 - Liquor Violation - Sell</b>	Location Type	<b>21 - Restaurant</b>	No. Prem. Entered	
IBR Code	<b>90G - Liquor Law Violations</b>	Offense Completed?	<b>Yes</b>	Entry Method	
IBR Group	<b>B</b>	Hate/Bias	<b>00 - None (No Bias)</b>	Type Security	
Crime Against	<b>SO</b>	Domestic Violence	<b>No</b>	Tools Used	
Offense File Class	<b>41002 - LIQUOR VIOLATIONS -OTHER</b>				
PACC					
Local Code					
Using					
Criminal Activity					

# Troy PD Arrest Report

Case No. 0700011840  
 Report No. 0700011840.1  
 Report Date: 12/13/2007

Troy PD  
 500 W Big Beaver  
 Troy, MI 48084  
 248 524-3477

**2**

Force Level  
 Weapons

## Arrestee A1: Gries, Shayla Michelle

Arrestee Number	<b>A1</b>	DOB		Place of Birth	
Name	<b>Gries, Shayla Michelle</b>	Age	<b>27</b>	SSN	
Aliases		Sex	<b>F - Female</b>	DLN	
Alert(s)		Race	<b>W - White</b>	DL State	
		Ethnicity	<b>U - Unknown</b>	DL Country	
Address	<b>45860 Spring Lane Apt 108</b>	Ht.		Occupation/Grade	
CSZ	<b>Shelby Township, MI 48317</b>	Wt.		Employer/School	
MO		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
Habitual Offender Status		Hair Style		Res. County	
		Hair Length		Res. Country	
		Facial Hair		Resident Status	<b>S - Resides in the State but not the county or community where the offense occurred</b>
		Complexion			
		Build			
		Teeth			

Phone/Email  
 Type Description

Supplemental IDs  
 ID Type ID Number ID Issuer Name

Physical Characteristics  
 Type Descriptor Description

Arrest No.	<b>720289</b>	Arrested For	<b>4102 - Liquor Violation - Sell</b>
Arrest Type	<b>S - Summoned/Cited</b>	Count	
FBI No.		Fingerprints	
Criminal Tracking Number CTN		Photos	
Transaction Control Number TCN		Miranda Read	
Person Control Number PCN		Miranda Waived	
State No.		Number of Warrants	
Armed With	<b>01 - Unarmed</b>	Juvenile Disposition	
Multi. Clearance	<b>N - Not Applicable</b>	Adult Present	
Multi. Clearance Offense		Detention Name	
Prev. Suspect No.		Arrest Location	
Notified Name			
Arrest Notes			

Booked On  
 Booked Location  
 Released Location  
 Released On  
 Released By  
 Release Reason  
 Held For  
 Date/Time Arrested **12/13/2007 6:35:00 PM**

# Troy PD Arrest Report

Case No. 0700011840  
Report No. 0700011840.1  
Report Date: 12/13/2007

Troy PD  
500 W Big Beaver  
Troy, MI 48084  
248 524-3477

# 3

Page 3 of 4

## Witness W1:

Witness Code

Name

Aliases

Alert(s)

Address **500 W BIG BEAVER RD**  
CSZ **Troy, MI 48084**

Attire

Ht.

Wt.

Eye Color

Hair Color

Facial Hair

Complexion

Place of Birth

SSN

DLN

DL State

DL Country

Occupation/Grade

Employer/School

Employer Address

Employer CSZ

Res. County

Res. Country

Resident Status

Testify

Phone/Email

Type

Description

Supplemental IDs

ID Type

ID Number

ID Issuer

Name

Witness Notes

## Property Description Item 1: 1812 - Receipt 5488 - sales receipt

Item No. **1**

Property Category **1812 - Receipt 5488**

Property Class **88**

IBR Type **77 - Other**

UCR Type **K - Miscellaneous**

Status **E - Evidence (Including Other Seized Property And Tools)**

Count **1**

Value **1**

Manufacturer **La Shish**

Model

Serial No.

License No.

Color

Description **sales receipt**

Vehicle Year

Body Style

State

License Year

Recovered Date/Time

Owner

Disposition **depository**

Evidence Tag **143678**

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

# Troy PD Arrest Report

Case No. 0700011840  
Report No. 0700011840.1  
Report Date: 12/13/2007

Troy PD  
500 W Big Beaver  
Troy, MI 48084  
248 524-3477

**4**

Page 4 of 4

Drug Type  
Drug Quantity  
Drug Measure

Property Notes

**NARRATIVE REPORT  
 WITNESS STATEMENT**

01	DATE 11/01/07	DAY THU	SHIFT 02	PLAT 9A	BADGE 1 49	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 07	INCIDENT # 4987
----	------------------	------------	-------------	------------	---------------	---------	---	------------	------------	--------------------

02  
03  
04  
05  
06  
07  
08  
09  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

E-mail Address: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

At 6:30pm I entered La Shish and ordered Merlot wine. The waitress brought the wine, and ~~asked for ID~~ did not ask for identification or date of birth. I then contacted officer Galich and officer Redmond. The waitress was a white female in her twenties with sandy blond hair.

X:

Taken By: *M. A. 49*

(SIGNATURE)

Place: 500 W. Big Beaver

Date: 11/3/07

Time: 2100

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



State of Michigan Uniform Law Citation

Ticket No. 720289  Victim Involved

US DOT # \_\_\_\_\_ Incident No. 97-45807 Dept. No. \_\_\_\_\_

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

Local Use/Arrest No. \_\_\_\_\_ Detection Device \_\_\_\_\_

OF: TROY BAC 1 of 1

Name (First, Middle, Last) SHAYLA MICHELLE GRIES

Street 45860 SPRING LAKE APT 108

City SHARBY TWP State MI Zip Code 48317

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 3720 ROCHESTER

AT OR NEAR \_\_\_\_\_

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"/> Misd	<u>98.10.11</u>	<u>FAIL TO INQUIRE AS TO AGE</u>	<u>1</u>
<input type="checkbox"/> C/I	<input type="checkbox"/> Warn	<input type="checkbox"/> Authorization pend.	2
<input type="checkbox"/> Misd	<input type="checkbox"/> Fug		3
<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 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 12/26/07 0830 AM

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

In the 52-4 DISTRICT Court of OAKLAND COUNTY

Court Address & Phone Number  
520 W. BIG BEAVER RD.  
TROY, MI 48084  
PHONE (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 \_\_\_\_\_

Officer's Name (printed) GARIBAY RODRIGUEZ Officer's ID No. 19/98

Agency ORI MI-6378400 Agency Name TROY POLICE DEPARTMENT

UC-01a (rev. 6/05) COURT COPY 1

Ticket 720289

Name \_\_\_\_\_

Case No. \_\_\_\_\_