

Mayor Pro Tem Fleming performed the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held on Monday, February 20, 2013, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:31 PM.

B. ROLL CALL:

Mayor Dane Slater
 Jim Campbell
 Wade Fleming
 Dave Henderson
 Maureen McGinnis
 Ed Pennington
 Doug Tietz

Resolution #2013-02-033
 Moved by Fleming
 Seconded by McGinnis

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Doug Tietz at the Regular City Council Meeting of February 20, 2013, due to being out of the county.

Yes: Slater, Campbell, Fleming, Henderson, McGinnis, Pennington
 No: None
 Absent: Tietz

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #7 – Order of Business

Resolution #2012-02-034
 Moved by Slater
 Seconded by Campbell

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #7 *Order of Business* to take items out-of-order on the Agenda.

Yes: Campbell, Fleming, Henderson, McGinnis, Pennington, Slater
 No: None
 Absent: Tietz

MOTION CARRIED

Vote on Resolution to Forward Item [C-1d](#) Liquor Violations (Class C; Class C Resort &Hotel B): Mon Jin Lau, Inc. (dba: Mon Jin Lau) and Item [C-1i](#) Liquor Violations (Class C; Class C Resort &Hotel B): Simbad, Inc. (dba: Palm's / Simbad) to be Addressed Before All Other Agenda Items

Resolution #2013-02-035

Moved by Slater

Seconded Fleming

RESOLVED, That Troy City Council hereby **FORWARDS** Item *C-1d Liquor Violations (Class C; Class C Resort &Hotel B): Mon Jin Lau, Inc. (dba: Mon Jin Lau)* and Item *C-1i Liquor Violations (Class C; Class C Resort &Hotel B): Simbad, Inc. (dba: Palm's / Simbad)* to be addressed before all other Agenda Items.

Yes: Fleming, Henderson, McGinnis, Pennington, Slater, Campbell

No: None

Absent: Tietz

MOTION CARRIED

C. PUBLIC HEARINGS:

The following named licensees have been given notice to appear for Public Hearings regarding alleged violations:

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

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

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from Harold Fried and John Henke, representing Mon Jin Lau

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., 48084

License No: Class C (353-2012)

Violation: **ALLOWED OVERCROWDING & INTOX. PERSONS on October 31, 2012;** 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 Wednesday, February 20, 2013;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council **HAS/ HAS NOT** been persuaded that the alleged violation did occur at the above referenced licensed establishment;

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **OBJECTS** to the renewal of the on premises liquor license for the 2013 license year OR **RECOMMENDS** renewal of the on premises liquor license for the 2013 license year, with the **STIPULATION** that all serving employees receive TIPS or TAMS or other comparable training acceptable to the Troy Police Department, and that licensee **PRESENT** proof of this training to the Troy Police Department within 90 days of today's date.

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

Vote on Resolution to Postpone Item C-01d Liquor Violations (Class C, Class C Resort & Hotel B): Mon Jin Lau, Inc. (dba: Mon Jin Lau) to the March 18, 2013 Regular City Council Meeting

Resolution #2013-02-036

Moved by McGinnis

Seconded by Fleming

RESOLVED, That Troy City Council hereby **POSTPONES** Item *C-01d Liquor Violations (Class C; Class C Resort & Hotel B): Mon Jin Lau, Inc. (dba: Mon Jin Lau)* to the March 18, 2013 Regular City Council Meeting.

Yes: Henderson, McGinnis, Pennington, Slater, Campbell, Fleming

No: None

Absent: Tietz

MOTION CARRIED

i) Simbad, Inc. (dba: Palm's / Simbad)

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from Bill Thomas, representing Palm's.

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: Simbad, Inc. (dba: Palm's / Simbad)

Address: 336 John R Rd., 48083

License No: SDM (190650-2012) Class C (190651-2012); and

Violation: **ALLOWED INTOXICATED PERSON TO OPERATE VEHICLE & CONSUMPTION AFTER HOURS; IMPROPER DISPLAY OF LICENSE on December 12, 2012; 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 Wednesday, February 20, 2013;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council **HAS/ HAS NOT** been persuaded that the alleged violation did occur at the above referenced licensed establishment;

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **OBJECTS** to the renewal of the on premises liquor license for the 2013 license year OR **RECOMMENDS** renewal of the on premises liquor license for the 2013 license year, with the **STIPULATION** that all serving employees receive TIPS or TAMS or other comparable training acceptable to the Troy Police Department, and that licensee **PRESENT** proof of this training to the Troy Police Department within 90 days of today's date.

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

Vote on Resolution to Postpone Item C-01i Liquor Violations (Class C, Class C Resort & Hotel B): Simbad, Inc. (dba: Palm's / Simbad) to the March 18, 2013 Regular City Council Meeting

Resolution #2013-02-037

Moved by Fleming

Seconded by Campbell

RESOLVED, That Troy City Council hereby **POSTPONES** Item C-01i Liquor Violations (Class C; Class C Resort & Hotel B): Simbad, Inc. (dba: Palm's / Simbad) to the March 18, 2013 Regular City Council Meeting.

Yes: McGinnis, Pennington, Slater, Campbell, Fleming, Henderson

No: None

Absent: Tietz

MOTION CARRIED

a) El Patio IV, LLC (dba: El Patio Mexican Restaurant)

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from Maria De La Paz, owner of El Patio Mexican Restaurant.

Resolution #2013-02-038

Moved by Fleming

Seconded by Campbell

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

Name: El Patio IV, LLC (dba: El Patio Mexican Restaurant)
Address: 2891 E. Big Beaver Rd., 48083
License No: Class C (214782-2012)
Violation: **SALE TO MINOR (Compliance Test) on November 13, 2012;** 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 Wednesday, February 20, 2013;

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 at the above referenced licensed establishment;

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 2013 license year, with the **STIPULATION** that all serving employees receive TIPS or TAMS or other comparable training acceptable to the Troy Police Department, and that licensee **PRESENT** proof of this training to the Troy Police Department within 90 days of today's date.

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

Yes: Pennington, Slater, Campbell, Fleming, Henderson, McGinnis
No: None
Absent: Tietz

MOTION CARRIED

b) Gallatin, Inc. (dba: Camp Ticonderoga)

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from Linda Egland of Gallatin, Inc., operating Camp Ticonderoga.

Resolution #2013-02-039
Moved by Pennington
Seconded by Campbell

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

Name: Gallatin, Inc. (dba: Camp Ticonderoga)
Address: 5725 Rochester Rd., 48084
License No: Class C (8981-2012)
Violation: **SALE TO MINOR (Compliance Test) on November 13, 2012;** 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 Wednesday, February 20, 2013;

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 at the above referenced licensed establishment;

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 2013 license year, with the **STIPULATION** that all serving employees receive TIPS or TAMS or other comparable training acceptable to the Troy Police Department, and that licensee **PRESENT** proof of this training to the Troy Police Department within 90 days of today's date.

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

Yes: Slater, Campbell, Fleming, Henderson, McGinnis, Pennington

No: None

Absent: Tietz

MOTION CARRIED

c) Hooters of Troy, LLC (dba: Hooters)

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from John Carlin and Robert Rice, representing Hooters.

Resolution #2013-02-040

Moved by McGinnis

Seconded by Fleming

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: Hooters of Troy, LLC (dba: Hooters)

Address: 2950 Rochester Rd., 48084

License No: Class C (159546-2012)

Violation: **SALE TO MINOR (Compliance Test) on May 10, 2012;** 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 Wednesday, February 20, 2013;

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 at the above referenced licensed establishment;

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 2013 license year, with the **STIPULATION** that all serving employees receive TIPS or TAMS or other comparable training acceptable to the Troy Police Department, and that licensee **PRESENT** proof of this training to the Troy Police Department within 90 days of today's date.

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

Yes: Campbell, Fleming, Henderson, McGinnis, Pennington, Slater
 No: None
 Absent: Tietz

e) National Coney Island, Inc. (dba: National Coney Island)

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from Kelly Allen, representing National Coney Island.

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: National Coney Island, Inc. (dba: National Coney Island)
 Address: 3364 Rochester Rd., 48084
 License No: Class C Resort (41187-2012)
 Violation: **SALE TO MINOR (Compliance Test) on November 13, 2012;** 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 Wednesday, February 20, 2013;

NOW, THEREFORE, BE IT RESOLVED, That as a result of this hearing, the Troy City Council **HAS/ HAS NOT** been persuaded that the alleged violation did occur at the above referenced licensed establishment;

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **OBJECTS** to the renewal of the on premises liquor license for the 2013 license year OR **RECOMMENDS** renewal of the on premises liquor license for the 2013 license year, with the **STIPULATION** that all serving employees receive TIPS or TAMS or other comparable training acceptable to the Troy Police

Department, and that licensee **PRESENT** proof of this training to the Troy Police Department within 90 days of today's date.

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

Vote on Resolution to Postpone Item C-01e Liquor Violations (Class C, Class C Resort & Hotel B): National Coney Island, Inc. (dba: National Coney Island) to the March 18, 2013 Regular City Council Meeting

Resolution #2013-02-041

Moved by Slater

Seconded by Campbell

RESOLVED, That Troy City Council hereby **POSTPONES** Item C-01e *Liquor Violations (Class C, Class C Resort & Hotel B): National Coney Island, Inc. (dba: National Coney Island)* to March 18, 2013 Regular City Council Meeting.

Yes: Fleming, Henderson, McGinnis, Pennington, Slater, Campbell

No: None

Absent: Tietz

MOTION CARRIED

f) Nordstrom, Inc. (dba: Nordstrom Café)

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from Ellie Dello, representing Nordstrom Café.

Resolution #2013-02-042

Moved by Campbell

Seconded by McGinnis

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: Nordstrom, Inc. (dba: Nordstrom Café)

Address: 2850 W. Big Beaver Rd., 48084

License No: Class C Resort (41004-2012)

Violation: **SALE TO MINOR (Compliance Test) on May 16, 2012;** 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 Wednesday, February 20, 2013;

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 at the above referenced licensed establishment;

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 2013 license year, with the **STIPULATION** that all serving employees receive TIPS or TAMS or other comparable training acceptable to the Troy Police Department, and that licensee **PRESENT** proof of this training to the Troy Police Department within 90 days of today's date.

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

Yes: Henderson, McGinnis, Pennington, Slater, Campbell, Fleming

No: None

Absent: Tietz

MOTION CARRIED

g) Rochester Road Ventures, LLC (dba: Mr. B's / now Hamlin Pub)

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from John Carlin and Jim Tevano, representing Mr. B's / now Hamlin Pub.

Resolution #2013-02-043

Moved by Henderson

Seconded by McGinnis

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: Rochester Road Ventures, LLC (dba: Mr. B's / now Hamlin Pub)

Address: 3946 Rochester Rd., 48083

License No: Class C (192874-2012) SDM (192875-2012)

Violation: **SALE TO MINOR (Compliance Test) on November 13, 2012;** 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 Wednesday, February 20, 2013;

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 at the above referenced licensed establishment;

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 2013 license year, with the **STIPULATION** that all serving employees receive TIPS or TAMS or other comparable training acceptable to the Troy Police Department, and that licensee **PRESENT** proof of this training to the Troy Police Department within 90 days of today's date.

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

Yes: McGinnis, Pennington, Slater, Campbell, Fleming, Henderson
No: None
Absent: Tietz

MOTION CARRIED

h) Sams Mayur Indian Cuisine (dba: New Mayur Indian Cuisine)

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from representatives of New Mayur Indian Cuisine.

Resolution #2013-02-044
Moved by McGinnis
Seconded by Fleming

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: Sams Mayur Indian Cuisine, LLC (dba: New Mayur Indian Cuisine)
Address: 5113 Rochester Rd., 48085
License No: Class C (216067-2012)
Violation: **SALE TO MINOR (Compliance Test) on November 13, 2012;** 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 Wednesday, February 20, 2013;

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 at the above referenced licensed establishment;

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

Yes: Pennington, Slater, Campbell, Fleming, Henderson, McGinnis
No: None
Absent: Tietz

MOTION CARRIED

j) Thunderbird Lanes, Inc. (dba: Thunderbird Lanes)

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from Dennis Ross, Rich Glomb, Eric McEvoy, Michael Stine and Janet Chaney, representing Thunderbird Lanes.

Resolution #2013-02-045
Moved by Pennington
Seconded by Fleming

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: Thunderbird Lanes, Inc. (dba: Thunderbird Lanes)
Address: 400 E. Maple Rd., 48084
License No: Class C (1941-2012)
Violation: **SALE TO MINOR (Compliance Test) on May 10, 2012;** 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 Wednesday, February 20, 2013;

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 at the above referenced licensed establishment;

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 2013 license year, with the **STIPULATION** that all serving employees receive TIPS or TAMS or other comparable training acceptable to the Troy Police Department, and that licensee **PRESENT** proof of this training to the Troy Police Department within 90 days of today's date.

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

Yes: Slater, Campbell, Fleming, Henderson, McGinnis, Pennington
No: None
Absent: Tietz

MOTION CARRIED

C-2 Liquor Violations (SDD/SDM):**a) Czaryd Enterprises, Inc. (dba: Troy Party Store)**

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from Joseph Ciaramitaro and Arlene Rydzewski, representing Troy Party Store, and Nancy Morrison, from Troy Youth Assistance.

Resolution #2013-02-046
Moved by Fleming
Seconded by Pennington

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

Name: Czaryd Enterprises, Inc. (dba: Troy Party Store)
Address: 6990 John R Rd., 48085
License No: SDM (11856-2012) SDD (15685-2012)
Violation: **SALE TO MINOR (Compliance Test) on November 13, 2012;** 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 Wednesday, February 20, 2013;

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 at the above referenced licensed establishment;

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **REQUIRES** the licensee to require all serving employees to receive TIPS or TAMS or other comparable training acceptable to the Troy Police Department, and that licensee present proof of this training to the Troy Police Department within 90 days of today's date.

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

Yes: Campbell, Fleming, Henderson, McGinnis, Pennington, Slater
No: None
Absent: Tietz

MOTION CARRIED

b) NKG Business, Inc. (dba: Buscemi's)

The Mayor **OPENED** the Public Hearing. The Mayor **CLOSED** the Public Hearing after hearing comment from Naji Abdal and Ghazwan "Gus" Abdal, representatives of Buscemi's, and Nancy Morrison, from Troy Youth Assistance.

Resolution #2013-02-047
Moved by McGinnis

Seconded by Fleming

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: NKG Business, Inc. (dba: Buscemi's)
Address: 3176 Rochester Rd., 48083
License No: SDD (188473-2012) SDM (188474-2012)
Violation: **SALE TO MINOR (Compliance Test) on May 18, 2012;** 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 Wednesday, February 20, 2013;

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 at the above referenced licensed establishment;

BE IT FURTHER RESOLVED, That due to the violation at the licensed establishment, the Troy City Council, after due notice, appropriate hearing and deliberations, **REQUIRES** the licensee to require all serving employees to receive TIPS or TAMS or other comparable training acceptable to the Troy Police Department, and that licensee present proof of this training to the Troy Police Department within 90 days of today's date.

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

Yes: Fleming, Henderson, McGinnis, Pennington, Slater, Campbell
No: None
Absent: Tietz

MOTION CARRIED

D. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

E. ADJOURNMENT:

The Meeting **ADJOURNED** at 9:31 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk