LIQUOR ADVISORY COMMITTEE MINUTES – FINAL SEPTEMBER 10, 2012

A regular meeting of the Liquor Advisory Committee was held on Monday, September 10, 2012 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 7:05 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
Patrick C. Hall
Andrew Kaltsounis
Bohdan L. Ukrainec

ABSENT: W. Stan Godlewski
David S. Ogg
Timothy P. Payne

ALSO PRESENT: Julie Dufrane, Assistant City Attorney
Jeffrey Oberski, Analyst/Planner
Jesse Pappas, Student Representative
Pat Gladysz

Resolution to Excuse Committee Members Godlewski, Ogg, Payne

Resolution #LC2012-09-021
Moved by Hall
Seconded by Kaltsounis

RESOLVED, That the absence of Committee members Godlewski, Ogg, and Payne at the Liquor Advisory Committee meeting of September 10, 2012 be **EXCUSED**.

Yes: 4
No: 0
Absent: Godlewski, Ogg, Payne

Resolution to Approve Minutes of August 13, 2012 Meeting

Resolution #LC2012-09-022
Moved by Hall
Seconded by Ukrainec

RESOLVED, That the Minutes of the August 13, 2012 meeting of the Liquor Advisory Committee be **APPROVED**.

Yes: 4
No: 0
Absent: Godlewski, Ogg, Payne

Agenda Items

1. **7-Eleven, Inc.** requests a new SDM liquor license with Sunday Sales (AM) Permit, to be located at 4060 Rochester Road, Troy, MI 48084. *This is at the northeast corner of Rochester Road and Wattles.*

Present to answer questions from the Committee were Jason Canvasser, attorney for applicant, and Jim Carline, field consultant for applicant.

Applicant's representatives advised the Committee that this will be the fifth 7-Eleven store in Troy. There has been one violation in the past four years. Applicant's parent company has a comprehensive, computer-based alcohol training program that all employees must complete with a 100% score. All employees must repeat this training on an annual basis. This location is currently a corporate store, but will eventually be franchised. The liquor license will be in the corporation's name with the franchisee as the co-licensee.

The Police Department had no adverse findings to report.

Resolution #LC2012-09-023
Moved by Hall
Seconded by Kaltsounis

RESOLVED, That the Liquor Advisory Committee recommends that the request of 7-Eleven, Inc. for a new SDM liquor license with Sunday Sales (AM) Permit, to be located at 4060 Rochester Road, Troy, MI 48084 be **APPROVED**, pending approval of all final inspections.

Yes: 4
No: 0
Absent: Godlewski, Ogg, Payne

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2. **Sakura of Troy, Inc.** requests a new Class C Quota License "above all others" and new SDM license with new Sunday Sales Permit (PM), and new Sunday Sales Permit (AM) to be located at 3635 Rochester Road, Troy, MI 48098. *This is just north of Colebrook Street.*

Present to answer questions from the Committee were Joseph Shallal, attorney for applicant, and applicants Ho Yin Yip and Li Zhang.

Mr. Shallal advised the Committee that the applicants currently own the Golden Harvest Restaurant in Warren. They have 20 years of experience in the Asian food business. They plan to open a Japanese hibachi-style steak house utilizing the "teppanyaki" cooking method. As is the practice in the Warren restaurant, there will be monthly staff meetings to reinforce all liquor license laws. The restaurant will be open seven days a week, from 11:00 a.m. to 10:00 p.m.

Building permits have been issued for interior renovations. The façade on the south side will be removed which will add parking spaces. However, the entire building will not be utilized for the restaurant since there would not be enough parking spaces for the square footage.

Mr. Shallal stated that the applicants would be willing to agree in advance to return the Class C license to the city's quota system if they fail at their endeavor and a restaurant is not operated at this location. Assistant City Attorney Dufrane stated that she is unfamiliar with such an agreement and would research the concept.

Mr. Ukrainec expressed concerns about the inability to view plans for exterior improvements prior to making a decision. The Committee briefly discussed this issue in view of the fact that the applicants state that they will be investing a considerable amount of money in the façade on the south side of the building.

The Police Department reports that there are unpaid personal property taxes. There have been no final inspections.

Also, the Police Department located two incidents that occurred at the Golden Harvest Restaurant in Warren in March of 2000 and July of 2000 involving Li Zhang. Both incidents involved contact with the Warren Police Department, no citations were issued, and they do not appear on the records of the Michigan Liquor Control Commission.

Resolution #LC2012-09-024
Moved by Hall
Seconded by Kaltsounis

RESOLVED, That the Liquor Advisory Committee recommends that the request of Sakura of Troy, Inc. for a new Class C Quota License "above all others" and new SDM license with new Sunday Sales Permit (PM), and new Sunday Sales Permit (AM) to be located at 3635 Rochester Road, Troy, MI 48098 be **APPROVED** pending approval of all final inspections and with a request to City Council to consider applicant's offer to return liquor license to the city's quota system if they fail at their endeavor and a restaurant is not operated at this location.

Yes:	Ehlert, Hall, Kaltsounis
No:	Ukrainec
Absent:	Godlewski, Ogg, Payne

Assistant City Attorney Dufrane advised the Committee that on September 20, 2012 a meeting will be held of the Michigan Association of Municipal Attorneys. One of the topics of discussion will be the changes of the MLCC regulations. She will report findings after that meeting.

The meeting adjourned at 8:20 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Secretary II