



TO: Members of Troy City Council
FROM: Phil Nelson, City Manager
Tonni L. Bartholomew, City Clerk
Lori Grigg Bluhm, City Attorney
DATE: February 12, 2009
SUBJECT: SDD/SDM Liquor Hearings

Under the Liquor Control Act, the Michigan Liquor Control Commission must receive notification of any adverse action against a liquor licensee no later than March 31, 2009. No adverse action can be taken without providing a licensee due process, which requires a hearing. In addition, advance notification, via certified mail, is required prior to any hearing. Based on these restrictions, City Council is limited on dates to hold the fourteen hearings for SDD/SDM violators. Council has the following options:

- Add seven hearings to the regular City Council meeting scheduled for March 2 and seven hearings to the regular City Council meeting scheduled for March 23, 2009; or
- Re-schedule fourteen hearings on Monday, March 9, 2009; or
- Re-schedule fourteen hearings on Monday, March 16, 2009; or
- Re-schedule fourteen hearings on a night, other than Monday, between March 3 and March 25, 2009; or
- Take no adverse action against the SDD/SDM licensees from 2008. Under Michigan law, a municipality's authority to take adverse action against these off-premises licensees (as opposed to the Class C and other on-premises licensees) is limited.

Proposed resolutions are provided for your consideration.