



CITY COUNCIL ACTION REPORT

January 26, 2010

TO: John Szerlag, City Manager

FROM: Gary Mayer, Chief of Police
Captain Gerard Scherlinck, Services Division
Lieutenant Michael Lyczkowski
Sergeant Russel Harden
Officer James Feld

SUBJECT: Application for a New Club License for the Saint Andrew's Society.

Background:

- The Saint Andrew's Society of Detroit requests a New Club License to be located at 2360 Rochester, Troy, MI 48084, Oakland County {MLCC Request #520848}.
- On January 11, 2010, John Thomson, a member of the Board of Trustees of The Saint Andrew's Society of Detroit, answered questions for the Liquor Advisory Committee.
- Mr. Thomson explained that The Saint Andrew's Society of Detroit is a 501.3c organization, is the oldest ethnic organization in the State of Michigan, and is also the oldest continuously charitable organization in the State of Michigan.
- Mr. Thomson explained that are the members are of Scottish descent, with membership just under 500 with 70 to 80% of them being active.
- Mr. Thomson explained that The Saint Andrew's Society of Detroit sold their previous location on Congress in Detroit approximately 20 years ago and moved their offices to Southfield. They have been renting the Commonwealth Club in Warren to hold their meetings. The Society recently purchased the building which was formally the Mountain Jack's Restaurant located at 2360 Rochester. Their plans are to move their offices into the building and to also have their membership meetings there. They are in the process of \$300,000 worth of improvements to the building to accomplish this.
- Mr. Thomson explained that the building will be available for use and rental by its members but not the general public. The Club License will permit the Society to sell beer, wine, and spirits to its members and their guests.
- Mr. Thomson explained The Saint Andrew's Society of Detroit requests approval for this New Club License from the Troy City Council prior to completing renovations to the building. The Society understands and agrees to the stipulation that the license will not be released until approval of the Building and Fire Departments through Final Inspections.
- The Committee unanimously approved this request.

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.

Policy Considerations:

- This action supports Council's Outcomes Statement III: "Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world."

JF/The Saint Andrew's Society.

AGREEMENT REGARDING LIQUOR LICENSE REQUEST

Re: Applicant: St. Andrew's Society of Detroit Date: November 9, 2009
Address: 2360 Rochester Road Type of License/s: New Club License
City/State/Zip: Troy, MI 48098 MLCC Request ID: 520848

This Agreement, made 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 the Applicant as indicated above, hereinafter known as APPLICANT.

1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the requested Liquor License to be located as indicated above in Troy Michigan.
2. In consideration of the City of Troy's recommendation for approval of the request, the applicant hereby agrees that:
 - (a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter No. 67, Chapter No. 68, Chapter No. 98 and Chapter No. 101, 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 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 licensed business in the City of Troy.
 - (c) 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, TAMS), 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 for 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 for 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 exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.
5. Applicant agrees that upon such 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.

LICENSEE AUTHORIZED REPRESENTATIVE

Witnesses: Charles Hayden By: St. A. Thomson, Justice
Joel Guene

Subscribed and sworn to before me this 16th day of November 2009
Notary Public, Elaine Bottenman County, MI
Acting in the County of Oakland
My commission expires: 1/26/2013

CITY OF TROY

Witnesses: _____ By: _____
Louise Schilling, Mayor
By: _____
Tonni Bartholomew, City Clerk

Subscribed and sworn to before me this _____ day of _____ 20 ____
Notary Public, _____ County, MI
Acting in the County of Oakland
My commission expires: _____



Michigan Department of Energy, Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505

POLICE INVESTIGATION REQUEST

[Authorized by MCL 436.1201(4)]

August 6, 2009

Troy Police Department
Chief of Police
500 W Big Beaver Road
Troy, MI 48084-5285

Request ID #: 520848

Applicant:

THE ST. ANDREW'S SOCIETY OF DETROIT REQUESTS A NEW CLUB LICENSE TO BE LOCATED AT 2360 ROCHESTER, TROY, MI 48084, OAKLAND COUNTY.

CONTACT: JOHN THOMSON, 2663 COVINGTON PLACE, BLOOMFIELD, MI 48301
NO CONTACT PHONE NUMBER

Please make an investigation of the application. If you do not believe that the applicants are qualified for licensing, give your reasons in detail. Complete the Police Inspection Report on Liquor License Request, LC-1800, or for Detroit police, the Detroit Police Investigation of License Request, LC-1802. If there is not enough room on the front of the form, you may use the back.

Forward your report, along with fingerprint cards (if requested) and \$30.00 for each card to the Michigan Liquor Control Commission.

If you have any questions, contact the appropriate unit (On Premises, Off Premises or Manufacturers & Wholesalers) at (517) 322-1400.

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FOR MLCC USE ONLY
 Request ID # 520848
 Business ID # 137727

POLICE INVESTIGATION REPORT

[Authorized by MCL 436.1217 and R 436.1105; MAC]

Please conduct your investigation as soon as possible, complete all four sections of this report and return the completed report and fingerprint cards to the MLCC.

LICENSEE/APPLICANT NAME, BUSINESS ADDRESS AND LICENSING REQUEST:

THE ST. ANDREW'S SOCIETY OF DETROIT REQUESTS A NEW CLUB LICENSE TO BE LOCATED AT 2360 ROCHESTER, TROY, MI 48084, OAKLAND COUNTY.

Section 1. APPLICANT INFORMATION

| | |
|---------------|---------------|
| APPLICANT #1: | APPLICANT #2: |
|---------------|---------------|

| | |
|---|-----------------------|
| DATE FINGERPRINTED**: NO FINGERPRINTS REQUIRED | DATE FINGERPRINTED**: |
|---|-----------------------|

| | |
|--|--|
| DATE OF BIRTH: Is the applicant a U.S. Citizen: <input type="checkbox"/> Yes <input type="checkbox"/> No* *Does the applicant have permanent Resident Alien status? <input type="checkbox"/> Yes <input type="checkbox"/> No* *Does the applicant have a Visa? Enter status: | DATE OF BIRTH: Is the applicant a U.S. Citizen: <input type="checkbox"/> Yes <input type="checkbox"/> No* *Does the applicant have permanent Resident Alien status? <input type="checkbox"/> Yes <input type="checkbox"/> No* *Does the applicant have a Visa? Enter status: |
|--|--|

Attach the fingerprint card and \$30.00 for each card and mail to the Michigan Liquor Control Commission

| | |
|---|---|
| ARREST RECORD: <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Enter record of all arrests and convictions (Attach a signed and dated sheet if more space is needed) | ARREST RECORD: <input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor Enter record of all arrests and convictions (Attach a signed and dated sheet if more space is needed) |
|---|---|

Section 2. INVESTIGATION OF BUSINESS AND ADDRESS TO BE LICENSED

Does applicant intend to have dancing, entertainment, topless activity, or extended hours permit?
 No Yes, complete LC-1636

Are motor vehicle fuel pumps at or directly adjacent to the establishment? No Yes, explain relationship:

Section 3. LOCAL AND STATE CODES AND ORDINANCES, AND GENERAL RECOMMENDATIONS

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? Yes No If No, indicate which state and local ordinances the location does not meet: Building Plumbing Zoning Fire Sanitation Health

Section 4. RECOMMENDATION

1. Is this applicant qualified to conduct this business if licensed? Yes No*

2. Should the MLCC grant this request? Yes No*

*If any of the above questions were answered No, you must state your reasons for MLCC consideration of this recommendation on the back of this form or on an attached signed and dated sheet.

3. Is this recommendation subject to final inspection to determine that the proposed location meets all building, plumbing, zoning, fire, sanitation and health laws and ordinances? Yes No

4. Is this recommendation subject to any other conditions? Yes No

If Yes, list the conditions below or on an attached signed and dated sheet if more space is needed

Signature (Sheriff or Chief of Police) _____ Date _____
 Troy Police Department



STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE
P.O. BOX 30005
LANSING, MI 48909-7505

TO: TROY CITY COUNCIL
ATTN: CLERK
500 W BIG BEAVER ROAD
TROY, MI 48084-5285

August 6, 2009
REQ ID#: 520848

THIS IS TO NOTIFY YOUR HONORABLE BODY THAT AN APPLICATION FOR A CLUB LICENSE HAS BEEN MADE TO THE LIQUOR CONTROL COMMISSION BY ST ANDREW'S SOCIETY OF DETROIT.

HOME ADDRESS AND PHONE NO:

CONTACT: JOHN THOMSON, 2663 COVINGTON PL, BLOOMFIELD, MI 48301

THE COMMISSION IS PRESENTLY INVESTIGATING THE APPLICANT WHICH IS LISTED ABOVE. THIS LETTER IS TO NOTIFY YOU OF THE APPLICATION FOR YOUR INFORMATION.

**APPROVAL OF CLUB LICENSE APPLICATIONS BY THE LOCAL LEGISLATIVE BODY IS NOT A STATUTORY REQUIREMENT, HOWEVER, THE LOCAL GOVERNING BODY, OR ITS DESIGNEE, MAY NOTIFY THE COMMISSION AS SOON AS POSSIBLE, IF THE APPLICANT LOCATION WILL NOT BE IN COMPLIANCE WITH ALL APPROPRIATE STATE AND LOCAL BUILDING, PLUMBING, ZONING, FIRE, SANITATION AND HEALTH LAWS AND ORDINANCES, OR IF THE APPLICANT IS CONSIDERED INELIGIBLE DUE TO OTHER FACTORS.

ALL CONDITIONS OF NON-COMPLIANCE MUST BE OUTLINED IN DETAIL, INDICATING THE LAWS AND ORDINANCES APPLICABLE IN THIS CASE, WITH A COPY OF THE LAW AND/OR ORDINANCE SUBMITTED WITH THE NOTIFICATION.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT THE ON PREMISE UNIT AT 517-322-1400.

PLEASE RETURN TO RESPONSE TO:

MICHIGAN LIQUOR CONTROL COMMISSION
LICENSING DIVISION
P.O. BOX 30005
LANSING, MI 48909

dl

Yes: 6
No: 0
Absent: Ehlert

Agenda Items

1. **The Saint Andrew's Society of Detroit** requests a New Club License to be located at 2360 Rochester (former site of the Mountain Jack's Restaurant @ the northwest corner of Rochester and Stephenson Highway, next to the Red Roof Inn), Troy, MI 48083, Oakland County {MLCC Req. #520848}. The Saint Andrew's Society of Detroit would like approval of the New Club License pending final inspections. Once approved, they will begin reconstruction of the existing building to suit their needs. License will not be issued until the building passing the final inspections.

Present to answer questions from the Committee was John Thomson, a member of the Board of Trustees of the Saint Andrew's Society of Detroit.

Mr. Thomson explained to the Committee that the Saint Andrew's Society is a 501.3c organization, is the oldest ethnic organization in the state of Michigan, and is the oldest continuously operating charitable organization in the state of Michigan. All members are of Scottish decent. Their membership totals just under 500, with approximately 70%-80% of those members being active.

The Society sold their building on Congress in Detroit approximately 20 years ago. Since that time, they have rented office space in Southfield and have held their meetings at the Commonwealth Club in Warren. The Society recently purchased the building at 2360 Rochester Road and \$300,000 in renovations is underway, with March completion expected. The establishment will be available for use and rental by its members, but not to the general public. The club license will permit the Society to serve or sell beer, wine, and spirits to its members and their guests.

Resolution #LC2010-01-003

Moved by Ukraine

Seconded by Godlewski

RESOLVED, That the Liquor Advisory Committee recommends that the request of the Saint Andrew's Society of Detroit for a new Club License to be located at 2360 Rochester Road, Troy, MI 48083 be **APPROVED**, pending all final inspections.

Yes: 6
No: 0
Absent: Ehlert
