

**CITY OF PLYMOUTH
LIQUOR LICENSE REVIEW COMMITTEE
MEETING
Monday, March 18, 2019
6:00 p.m.
Plymouth City Hall
201 S. Main
Plymouth, MI 48170**

AGENDA

- 1) Call to Order**
- 2) Roll Call – Suzi Deal, Tony Sebastian, Marques Thomey**
- 3) Approval of Meeting Minutes 01-21-19**
- 4) Annual Review for Renewal, Revocation and Non-Renewal of Licenses**
- 5) Adjournment**



CITY OF PLYMOUTH

LLRC Meeting Minutes

Plymouth City Hall 1-21-19 4:45 p.m.

201 S. Main
Plymouth, Michigan 48170-1637

Phone 734-453-1234
Fax 734-455-1892

CALL TO ORDER: The meeting was called to order at 4:45 p.m. City Commission Members present - Chairperson Colleen Pobur, Member Suzi Deal, and Member Tony Sebastian

APPROVAL OF THE MINUTES: The LLRC Meeting Minutes for November 5, 2018 were distributed in advance of the meeting. Member Deal offered a resolution, seconded by Member Sebastian, to approve the meeting minutes as presented.

MOTION PASSED

NEW BUSINESS:

Consider transfer of liquor license for Station 885 to Stella's Trackside, Inc. and request for Sunday Sales AM permit and new entertainment permit

After a brief discussion with Bob Ostendorf about Stella's Trackside, it was moved by Member Deal and seconded by Member Sebastian:

WHEREAS The City of Plymouth maintains a Liquor Management Ordinance and all issues related to liquor licenses in the City are required to be reviewed by the local Liquor License Review Committee, and

WHEREAS The Local Liquor License Review Committee has received a request to transfer a liquor license from Station 885, Inc. to Stella's Trackside, Inc., and

WHEREAS The application has been submitted to the State of Michigan Liquor Control Commission and to the City of Plymouth, and

WHEREAS The application was reviewed by the Local Liquor License Review Committee,

NOW THEREFORE BE IT RESOLVED THAT the Local Liquor License Review Committee does hereby recommend to the City Commission that they approve the transfer of the Liquor License as requested by Stella's Trackside, Inc. in order to allow the establishment to comply with local ordinances in accordance with State Liquor Control Commission Administrative Rule R436.1003.

MOTION PASSED

ADJOURNMENT - Chairperson Pobur asked if there were any other citizen comments and then it was moved by Member Deal and seconded by Member Sebastian to adjourn the meeting.

MOTION PASSED

Paul Sincock

Recording Secretary

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ADMINISTRATIVE UPDATE

To: Local Liquor License Review Committee
CC: *S:\Manager\Sincock Files\Memorandum - LLRC Annual Review of Licensed Establishments - 2019 - 03-18-19.doc*
From: Paul J. Sincock -City Manager
Date: 3/12/2019
Re: Annual Renewal and Authorized Number of Establishments

RECOMMENDTION:

The members of the Local Liquor License Review (LLRC) Committee must make a recommendation to the City Commission on Monday, March 18, 2019 related to the required review of the annual report related to Liquor Licenses related to the renewal, revocation and non-renewal of Licenses in the City. In addition, the LLRC must make a recommendation related to the number of licenses allowed by Zoning classification.

The City Administration has previously posted a Public Hearing for the Annual Review of Liquor License Renewals for the City Commission on March 18, 2019. This is a normal part of our liquor work load during this time of year. We are required to review all our records related to each establishment. Often we find that a few establishments owe the City either past due taxes, utility bills or other invoices and the notice serves a reminder of payments due to the City. The Notice of Public Hearing for Recommending Renewal, Revocation and non-renewal of Liquor Licenses usually inspires all of those with outstanding issues to contact the City Treasurer or other Departments to either make immediate payment or to make arrangements for payments. We have attached the updated notice for your reference.

During our agenda preparations as of Tuesday, March 12, 2019 we have found a tax issue with what is commonly known as the Liberty Street Brewing. It should also be noted that the State of Michigan Liquor Control Commission terminated the license for the Plymouth Crossings at 340 N. Main. That license had been in escrow since January 15, 2015.

The City Administration is recommending to the LLRC and to the City Commission that all establishments be recommended for renewal; except for Liberty Street Brewing & Norton X Brewing, LTD for violation of the Liquor Management Ordinance, related to payments due to the City. The City Commission is aware that the MLCC has changed their view of the law and they may or may not act on the City's requests for non-renewal or revocation.

Related to the Liquor License Cap, there are currently two licenses two licenses outside of the DDA that are "available" under the Liquor License Cap in the Ordinance. There are no

March 12, 2019

additional licenses available under the terms of the cap within the DDA. There does not seem to be any additional demand for licenses currently. The City Administration is not recommending any increase in the number of licenses at this time.

RECOMMENDATION:

The City Administration has recommended that the LLRC recommend to the City Commission the renewal of all licenses, EXCEPT for Liberty Street Brewing/Norton X Brewing, LTD at 149 W. Liberty. There really have been no significant issues during the past year and any issue that did come up was immediately reacted to by the ownership of the establishment and corrections were immediate.

In order to assist the LLRC with their renewal/non-renewal recommendations we have prepared TWO separate Resolutions/Action Items for the renewals and then a second Resolution for establishment being recommended for non-renewal. We have also attached a third Resolution for the LLRC related to the cap on Liquor Licenses and calling for no increase this year.

Should you have any questions in advance of the meeting please feel free to contact either Chief Al Cox or myself.

2019 REPORT OF ALCOHOL RELATED POLICE INCIDENTS

TO: PAUL SINCOCK, CITY MANAGER
FROM: A.L. COX, DIRECTOR OF PUBLIC SAFETY *A.L. Cox*
SUBJECT: ALCOHOL RELATED INCIDENTS FOR PERIOD 1/1/2018-12/31/2018
DATE: 3/6/2019

Current MLCC Licenses in the City of Plymouth

Alcohol by the Glass: 25 Active and 1 In Escrow (1 for every 351 residents)
Packaged Liquor: 8 Active and 2 In Escrow (1 for every 913 residents)
Small Distiller: 1 Active

Total MLCC inspections by Officers to every MLCC regulated establishment

- Officers are required to perform MLCC inspections of all MLCC regulated establishments. This occurs weekly for several alcohol by the glass establishments and monthly for others, including our packaged beer, wine, and liquor stores. Inspections consist of an Officer's walk-thru/observation of the establishment's employees, patrons, and service practices. A written check-list/report may also be completed.

MLCC Police Officer Inspections	2017	2018
Total	718	812

Total alcohol related Disorderly Conduct Calls For Service (CFS)

- The following table displays all alcohol related Disorderly Conduct CFS for the referenced time period. Total CFS of this type are listed first, followed by those dispatched directly to the address of any licensed establishment. The last category is all other alcohol related Disorderly Conduct CFS around town.

Alcohol Related Disorderly Conduct CFS	2017	2018
Total	46	30
Local Establishments	11	8
Other Areas Around Town	35	22

Total alcohol related driving/motor vehicle CFS

- All drunken driving incidents, including OWI 1st Offense, Repeat Offenders (OWI II & OWI III), Super Drunk, and Child Endangerment cases.

Alcohol/Motor Vehicle related CFS	2017	2018
Total	54	35

- In an effort to give you a better understanding of our total number, the following table breaks down the specifics regarding the types of drunks we encounter and in some cases an idea of their condition (Blood Alcohol Content over .17).

Year	OWI 1st Offense MISDEMEANOR	OWI 2nd Offense MISDEMEANOR	OWI 3rd Offense FELONY	Super Drunk .17 BAC or higher MISDEMEANOR	Total OWI Arrests	OWI Crashes
2017	27 (50%)	8 (15%)	4 (7%)	15 (28%)	54	6
2018	13 (37%)	3 (9%)	5 (14%)	14 (40%)	35	1

Total other alcohol related incidents

- Includes such incidents as Minor in Possession of alcohol, as well as Open Intoxicants and Public Intoxication.

Other alcohol related incidents	2017	2018
Total	11	11

Total alcohol related Malicious Destruction of Property (MDOP) CFS

- Incidents involving MDOP in which the suspect is intoxicated or had been drinking.

Alcohol related MDOP CFS	2017	2018
Total	2	1

Total Violation Reports Involving City MLCC Licensed Establishments

MLCC Violation Reports	2017	2018
Total	1	1

- **3/18/2018- The Post Local Bistro: Negotiated Settlement on 6/19/2018 accepted by Commissioner Clemente**
 1. Sold or furnished alcoholic liquor to Christopher Powers, who was in an intoxicated or visibly intoxicated condition, contrary to Sections 801(2) and/or Section 1025(4) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.2025(4). - **Plea of Acknowledgment; \$250 fine.**
 2. Allowed Christopher Powers, who was in an intoxicated condition, to consume alcoholic liquor upon the licensed premises, contrary to Section 707(2) of the Michigan Liquor Control Code, MCL 436.1707(2). - **Dismissed w/prejudice.**
 3. Allowed an agent, clerk or employee, Christopher Powers to be on the licensed premises in an intoxicated condition, contrary to Section 707(3) of the Michigan Liquor Control Code, MCL 436.1707(3).- **Dismissed w/prejudice.**
 4. Sold or furnished alcoholic liquor to Christopher Powers and/or other unnamed persons, on Sunday between 2:00 a.m. and 12:00 noon, contrary to Rule 436.1403(1).- **Dismissed w/prejudice.**
 5. Permitted the consumption of alcoholic liquor upon the licensed premises by Christopher Powers and/or other unnamed person, between 2:30 a.m. and 12:00 noon on Sunday, contrary to Rule 436.1403(6). - **Plea of Acknowledgment; \$250 fine.**
 6. Permitted the licensed premises to be occupied by persons other than the licensee or the licensee's working bona fide employees, Christopher Powers and/or other unnamed persons, between 2:30 a.m. and 12:00 noon on Sunday, contrary to Rule 436.1403(2). - **Plea of Acknowledgment; \$250 fine.**

FINES= \$750

Total Police Notifications to MLCC regulated establishments

- These notifications were telephone calls, emails or face to face meetings with bar owners or management anytime Officers responded to an incident involving a subject(s) that consumed in their establishment (i.e. a visibly intoxicated subject that was arrested for drunk driving after having been served at a local bar).
- It is important to note that the information as to where a subject(s) was drinking is generally provided by an intoxicated person that, in the same breath, will tell us he/she had "two beers" when it is obvious they had much more.

Establishment	2017	2018
Aqua	0	0
Barrio Cocina Y Tequileria	0	0
Bigalora	0	0
Compari's/Fiama/Sardine Room	0	0
Cultural Center	0	0
E.G. Nicks	0	0
Greek Islands	ESCROW SINCE 1/11/2017	0
Herman's Olde Town Grille	0	0
Ironwood	0	0
Liberty Street Brewing Co.	0	0
Mayflower Meeting House	0	0
Nico & Vali	0	0
Pakwaan Restaurant	NO LIQUOR LICENSE	0
Park Place Gastro Pub	0	0
Penn Grille	0	0
Pizza E Vino	0	0
Plymouth Crossing	ESCROW SINCE 1/15/2015	LICENSE TERMINATED BY MLCC
Plymouth Knights of Columbus	0	0
Plymouth ROC	0	0
Sean O'Callaghan's	0	0
Station 885	0	0
Stella's Black Dog Tavern	0	0
The Honey Hole	0	0
The Post Local Bistro	3	4
VFW	0	0
Westborn Market	ESCROWED 12/27/2016	0
Total	3	4

Comparison of Alcohol Related Police Incidents 2009-2018

Activity/Type of Incident	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
MLCC Inspections	154	182	252	680	1201	1128	815	743	718	812
Disorderly	13	53	31	57	46	33	75	21	46	30
Alcohol Related Driving	110	132	96	100	60	99	75	46	54	35
Other Alcohol Related CFS	18	39	30	34	29	19	5	17	11	11
MDOP	1	7	3	2	0	1	1	4	2	1
MLCC Violation Reports	2	3	2	12*	2	2	0	4	1	1
Police Notification to Establishments	?	6	11	41	21	14	13	8	3	4

*10 Violation Reports involved only one establishment.

Sec. 6-34. - Plan of operation required.

- (a) *Business operation.* All new requests for permits, requests for transfers of ownership of existing licenses or requests for transfers of licenses into the city of on-premises licensees shall operate in accordance with a plan of operation approved by the city commission.
- (b) *Plan of operation.* A plan of operation shall contain an operational statement outlining the proposed manner in which the establishment will be operated, including, but not limited to, the format, schedule of the hours of operation, crowd control, security, alcohol management, use of the facilities, parking provisions, plan for interior use and layout, and any other pertinent information as requested by the city or city's liquor license review committee (LLRC).
- (c) *Compliance.* Licensees shall comply with all applicable state and city regulations, this general policy, and a plan of operation as approved by the city commission. Any change to a plan of operation shall be approved by the city commission prior to implementation of the change by the licensee. Failure of such compliance or variance from an approved plan is a violation of this ordinance and may result in the city commission recommending to the Michigan Liquor Control Commission that the license be revoked or not renewed.

(Ord. No. 2010-01, 4-5-10)

Sec. 6-35. - Review procedures.

Each applicant for a new license, the establishment of a new permit, the transfer into the city of a new license, or the transfer of an existing license shall make a request to the city in accordance with the following procedures:

- (1) *Application.* Each applicant must submit to the city clerk an application (on a form provided by the city), a plan of operation, plot plan of the site, a plan for interior use and exterior design, and the layout of any ancillary facilities. As part of the application, each applicant shall submit a written statement explaining in detail how their proposal meets the factors as listed in subsection 6-35(4).
- (2) *City departmental review.* Upon receipt of an application and plans, the city manager will refer same to the chief of police, fire chief, planning department, building department and other city officers or employees, who shall cause a thorough review and investigation, including, but not limited to a complete history of past business experience and liquor law violations, if any, to be made of the persons and/or premises which must meet or exceed codes. The applicant shall provide all requested information to, and fully cooperate with, all city departments requesting any and all additional relevant information. The findings resulting from such review and investigation shall be reported to the city manager, who then will report same to the LLRC and the city commission.
- (3) *Public hearing/review.*
 - a. *Hearing.* The city commission shall hold a public hearing upon a request for a new license, the establishment of a new permit, transfer of an existing license to new owners, or for the transfer of a new license into the city.
 - b. *Notice.* Notice of all hearings shall be provided to all property owners, residents and voters, within 300 feet of the proposed establishment, all LCC Service by the Glass-On Premises retail license holders, the Chamber of Commerce, all neighborhood associations and the Plymouth-Canton Community Schools. The applicant shall pay the cost of such notice.
 - c. *Appearance.* The applicant will be required to appear at the hearing before the LLRC committee or the city commission, and make a written and/or oral presentation concerning the request.
 - d. *Recommendation.* The LLRC shall review and may recommend approval or disapproval of all

requests to the city commission.

- (4) *Review factors.* In reviewing a request for a new license or permits or transfers of ownership of existing licenses or transfers into the city of new on-premises licensees, the city commission or LLRC may consider and/or weigh the following factors:
- a. Conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources and property.
 - b. Total number of similar licenses in the city.
 - c. Input from residents and surrounding business owners.
 - d. Impact of the establishment on surrounding businesses and neighborhoods.
 - e. Whether a proposed licensed premise is part of a multi-use project with substantial new retail, office, or residential components. The size of the licensed premise relative to the overall project or development.
 - f. Crowd control.
 - g. Parking availability.
 - h. Preservation or restoration of historic buildings.
 - i. Locating in an underdeveloped area.
 - j. Concentration of drinking establishments and impact on policing requirements.
 - k. Policing requirements.
 - l. Business history.
 - m. Business experience.
 - n. LCC violation history.
 - o. Will facility be a sit down full service restaurant serving alcohol or other "bar only" type establishment.
 - p. Will restaurant have a 70-percent—30-percent sales of food over alcohol
 - q. Percent of floor area devoted to dining versus bar area.
 - r. Size of bar area.
 - s. Size of dance floor, if any.
 - t. Type or character of the establishment, e.g. dining, nightclub, hotel, dance club.
 - u. Overall benefit of the plan to the city.
 - v. Non-payment of taxes or other payment due to the city.
 - w. Any other factor(s) that may effect the health, safety and welfare or the best interests of the community.
- (5) *Approval.* If after a review by the LLRC, and/or a public hearing, the city commission is satisfied that the establishment or operation will provide a benefit to the city and constitute an asset to the community, it will adopt a resolution granting approval, subject to the satisfaction of any conditions stated in the resolution.
- a. **Building—Remodeling.** If the request involves a change to the physical size or layout of the establishment, when the applicant's building or remodeling is completed, it must meet all state and local regulations, and must comply with the representations made to the city commission and LLRC committee by the applicant. If such physical alteration is approved by the city commission and it is subsequently determined that the project was not substantially completed as required by the plans

and specifications presented to the city, or in substantial compliance with representations made to the city, the city may recommend that the license be revoked or not be renewed for the following year.

(Ord. No. 2010-01, 4-5-10)

Sec. 6-36. - Permits and transfer of ownership.

- (a) *Permits.* New requests for permits for dance, entertainment, or dance and entertainment shall be reviewed by the LLRC and approved in the sole discretion of the city commission after evaluation of the factors listed in subsection 6-35(4). The city will not consider requests for topless entertainment permits.
- (b) *Transfer of ownership.* Requests for transfer of ownership of existing licensed establishments shall be reviewed by the LLRC and approved or disapproved by the city commission. The city commission may hold a public hearing. If the continuation of an existing operation is contemplated, the applicant must present a plan that indicates that it will continue the existing operation as established. If there are proposed changes in the operations then the request for transfer of ownership shall be subject to the reviews outlined in subsection 6-35(4).
- (c) Any change in existing operations from a full service sit down restaurant that serves alcohol to an establishment that features primarily alcohol would be subject to a new review as outlined in subsection 6-35(4).

(Ord. No. 2003-4, §6, 5-19-03; Ord. No. 18-03, 3-5-18)

Sec. 6-37. - Annual license and permit review.

- (a) The city commission will undertake a review of any license or permit for the purpose of making a recommendation to the Michigan Liquor Control Commission regarding renewal of said license or permit. The commission shall consider whether a licensed establishment has been operated in a manner consistent with the provisions of this article and all other applicable laws, and regulations of the city and the State of Michigan.
- (b) Each year, the city manager shall cause an investigation to be made relative to each existing on-premises licensed establishment. The investigation shall include, but not be limited to, the following:
 - (1) Licensee shall submit copies of current valid licenses from appropriate county, state or federal governments to insure authorization to serve food at the establishment.
 - (2) An inspection of the premises to determine whether the licensee is in compliance with the license itself, its approved site plan and if applicable its plan of operation, as well as any conditions imposed by the city or the Michigan Liquor Control Commission or representations made by the licensee at the time of issuance or transfer of the license.
 - (3) An inspection of city records to determine whether all taxes and other monies due the city are timely paid.
 - (4) An inspection of police files or other sources of information to determine whether any activity in connection with the licensed premise is in violation of the law, disturbs the public peace and tranquility, constitutes a nuisance, or contributes to the disruption of the normal activities of those in the neighborhood of the licensed premise.
 - (5) A review to determine the existence of any of the criteria as described in section 6-39.
 - (6) A review of the operation of the licensed establishment to determine whether the business is being

operated in compliance with any and all representations that may have been made by the licensee to the city or the city commission.

- (c) *Recommendations from city departments.* Following receipt of a fully completed application, fees, and such other information as may be requested by the city, the city clerk shall forward the application to the police department, fire department, building department, treasurer's office, and such other departments as required by the city manager, which departments shall make their reviews and recommendations prior to consideration by the city commission. In conducting its review, the city may request other pertinent information from the licensee. The completed report shall be reviewed by the LLRC prior to being considered by the city commission.
- (d) The local liquor license review committee shall annually review and report to the city commission its recommendations to maintain, expand or delete the total number of allowable on-premises retail licenses for establishments that serve alcohol by the glass under a variety of State of Michigan Licenses, including but not limited to; Class C, Club, B Hotel, A Hotel, Tavern, Brewpub, Micro-brewer, Resort, DDA, Economic Development, winery or other type license.

(Ord. No. 2010-01, 4-5-10; Ord. No. 18-03, 3-5-18)

Sec. 6-38. - Revocation and non-renewal.

- (a) Each establishment within the city for which a liquor license or permit is granted shall be operated and maintained in accordance with all applicable laws and regulations of the City of Plymouth and the State of Michigan. Upon any violation of this article, the commission may, after notice and hearing, request the Michigan Liquor Control Commission to revoke such license and/or permit. Upon any violation(s) of this article, the city will notify the licensee of the specific violation(s) and afford the licensee an opportunity to come into compliance with this article. Licensee must reach compliance in that time established by the city manager, but in no event more than ten days after notification to licensee by city of such violation. Absent compliance within that time established by the city manager, the city may hold the above mentioned hearing and request that the Michigan Liquor Control Commission not renew and/or revoke such license and/or permit.
- (b) Before filing any objection to renewal or request for revocation of a license or permit with the Michigan Liquor Control Commission, the city shall serve the licensee with notice and proceed in accordance with this article, as amended. The city shall serve the licensee by first class mail mailed at least ten days prior to the hearing with notice of hearing, which notice shall contain, the following:
- (1) Date, time and place of hearing.
 - (2) Notice of the proposed action.
 - (3) Reasons for the proposed action.
 - (4) Names of witnesses known at the time who will testify.
 - (5) A statement that the licensee may present evidence or any testimony that may refute or respond to the claims of adverse witnesses.
 - (6) A statement requiring the licensee to notify the city attorney's office at least three days prior to the hearing date if they intend to contest the proposed action, and to provide the names of witnesses known at the time who will testify on their behalf.
- (c) Upon completion of the hearing, the city commission shall submit to the licensee and the Michigan Liquor Control Commission a written statement of its findings and determination.

(Ord. No. 2010-01, 4-5-10)

Sec. 6-39. - Criteria for non-renewal or revocation.

- (a) The city commission may recommend non-renewal or revocation of a license or permit originally authorized on or after July 1, 2003 to the liquor control commission upon a determination based upon a preponderance of the evidence presented at the hearing that any of the following exists:
- (1) Failure to comply with all standards, plans or agreements entered into in consideration for the issuance, transfer or continuance of the license or permit, or failure to comply with all agreements or consent judgments entered into subsequent to the issuance of the license or permit.
 - (2) Failure to comply with an approved plan of operation and other plans, specifications, or representations made or submitted to the city by the licensee.
 - (3) Violations of the state liquor laws or regulations of the liquor control commission.
 - (4) Violations of state laws or local ordinances including, but not limited to those laws or ordinances concerning the public health, safety or public welfare.
 - (5) Maintenance of a nuisance upon or in connection with the licensed premises including, but not limited to, any of the following:
 - a. Failure to correct violations of building, electrical, mechanical, plumbing, zoning, health, fire or other applicable regulatory codes, to include the history thereof;
 - b. A pattern of patron conduct in the neighborhood of the licensed premises, which is a violation of the law and/or disturbs the peace, order and tranquility of the neighborhood; Including types of police, fire or medical services related to this operation.
 - c. Failure to maintain the grounds and exterior of the licensed premises, including litter, debris or refuse blowing or being deposited upon adjoining properties;
 - d. Entertainment on the premises or activity in connection with the licensed premises which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinance or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed premises.
 - (6) Failure by the licensee to permit the inspection of the licensed premises by the city's agents or employees in connection with the enforcement of this article.
 - (7) Failure to pay taxes or make other payments due to the city in a timely manner.
- (b) The city commission may recommend non-renewal or revocation of a license or permit originally authorized to operate in the city on or before June 30, 2003 to the liquor control commission upon a determination based upon a preponderance of the evidence presented at the hearing that any of the following exists:
- (1) Violations of the state liquor laws or regulations of the liquor control commission.
 - (2) Violations of state laws or local ordinances including, but not limited to those laws or ordinances concerning the public health, safety or public welfare.
 - (3) Maintenance of a nuisance upon or in connection with the licensed premises including, but not limited to, any of the following:
 - a. Failure to correct violations of building, electrical, mechanical, plumbing, zoning, health, fire, property maintenance or other applicable regulatory codes, to include the history thereof;
 - b. A pattern of patron conduct in the neighborhood of the licensed premises, which is a violation of the law and/or disturbs the peace, order and tranquility of the neighborhood;

- c. Failure to maintain the grounds and exterior of the licensed premises, including litter, debris or refuse blowing or being deposited upon adjoining properties;
 - d. Entertainment on the premises or activity in connection with the licensed premises which by its nature causes, creates or contributes to disorder, disobedience to rules, ordinance or laws, or contributes to the disruption of normal activity of those in the neighborhood of the licensed premises.
- (4) Failure by the licensee to permit the inspection of the licensed premises by the city's agents or employees in connection with the enforcement of this article.
 - (5) Failure to pay taxes or make other payments due to the city in a timely manner.

(Ord. No. 2010-01, 4-5-10)

Sec. 6-40. - Capacity limits.

The total capacity of each room of a licensed establishment shall be established and determined by the appropriate fire and building safety codes.

(Ord. No. 2010-01, 4-5-10)

Sec. 6-41. - Termination of escrowed licenses.

The city commission may, through resolution, request that the Michigan Liquor Control Commission terminate an on-premises license that has been placed in escrow for more than one (1) year after its expiration.

(Ord. No. 2010-01, 4-5-10)

Sec. 6-42. - Fees.

Each applicant for a new license or permit, for transfer of an existing license or permit, for expansion of an existing establishment, and for renewal of an existing license or permit shall pay a non-refundable application investigation fee. Each applicant for renewal of a license that was originally established on or before June 30, 2003 shall be exempt from annual renewal fees; all others shall pay an annual review fee. Such fees will be in addition to any fee required by the liquor control commission and shall be set by a city commission resolution.

(Ord. No. 2010-01, 4-5-10)

**NOTICE OF ANNUAL
PUBLIC HEARING FOR RECOMMENDING
RENEWAL, REVOCATION AND NON-RENEWAL
OF LIQUOR LICENSES IN ACCORDANCE WITH
The City of Plymouth Liquor Management Ordinance**

Plymouth City Commission
Commission Chambers
201 S. Main
Plymouth, MI 48170
March 18, 2019 - 7:00 p.m.

As of 03-13-19

***ADMINISTRATIVE RECOMMENDATIONS ARE UPDATED and CURRENT AS OF
03-13-19 AND ARE SUBJECT TO CHANGE PENDING ADDITIONAL
INFORMATION OR CORRECTIONS OR CONFIRMATION OF TAXES BEING PAID***

Open Public Hearing – As a part of the Regular City Commission Agenda

- 1) License Holder – Buon Vino Winery, LLC, 849 Penniman – Administrative Recommendation for Renewal.
- 2) License Holder – Park Place Gastro Pub – Administrative Recommendation for Renewal.
- 3) License Holder – Compari’s on the Park/Fiamma/Sardine 350 S. Main - Administrative Recommendation to approve renewal. (3 locations on one license)
- 4) License Holder – City of Plymouth Parks and Recreation – Administrative Recommendation to approve renewal
- 5) License Holder – D.B.A. - Barrio’s Forest Ave. – Administrative Recommendation for Renewal.
- 6) License Holder – Hermanns Olde Towne Grill, 195 W. Liberty - Administrative Recommendation for Renewal.
- 7) License Holder – Ironwood Grill, 840 W. Ann Arbor Trail – Administrative Recommendation for Renewal.
- 8) License Holder – Mayflower Meeting House, Exclusive Catering, Inc. 499 S. Main - Administrative Recommendation to approve renewal.

- 9) License Holder – Mayflower – Lt. Gamble Post 6995 of the Veterans of Foreign Wars of the United States, 1426 S. Mill Street - Administrative Recommendation to approve renewal.
- 10) License Holder – Nico & Vali – Italian Eatery, 744 Wing Street - Administrative Recommendation to approve renewal.
- 11) License Holder – Plymouth Knights of Columbus Building Council #3292, 150 Fair Street - Administrative Recommendation to approve renewal.
- 12) Bigalore/Arbor Brewing – The Former Box Bar, 777 W. Ann Arbor Trail - Administrative Recommendation for Renewal.
- 13) License Holder – The Penn Grill, 820 Penniman – Administrative Recommendation for approval.
- 14) & 15) License Holder – Liberty Street Brewing – Norton X Brewing LTD, 149 W. Liberty – Past Due Summer Tax Bill, Past Due Water Bills. Administrative Recommendation for non-renewal for violation of City Liquor Management Ordinance and hearing before the Local Liquor License Review Committee in accordance with Section 9 of the City of Plymouth Liquor Management Ordinance. LLRC Hearing Scheduled for 6:00 p.m. on March 18, 2019, Plymouth City Hall, 201 S. Main Street, Plymouth, MI
- 15) License Holder – DBA/ Aqua - JJA, Inc. – Starkweather & Main Street - Administrative Recommendation for approval.
- 16) License Holder – Pakwaan – 447 Forest Ave., - Administrative Recommendation to approve renewal.
- 17) License Holder – DBA/Plymouth ROC – 1020 W. Ann Arbor Road - Administrative Recommendation to approve renewal.
- 18) License Holder – E.G. Nicks T. Belli & Assoc. Inc. – 500 Forest Ave. – Administrative Recommendation to approve renewal.
- 16) License Holder – DBA/Plymouth Crossing – 340 N. Main - License Terminated by State of Michigan Liquor Control Commission.
- 19) License Holder – Post Bistro – 844 Penniman Ave. - Administrative Recommendation to approve renewal.
- 20) License Holder – Sean O’Callaghan’s Public House – 821 Penniman Ave. - Administrative Recommendation to approve renewal.

- 21) License Holder – Stella’s Trackside - 885 Starkweather – Recommendation to approve renewal.
- 22) License Holder – Stella Dog Tavern, 860 Fralick - Administrative Recommendation for Renewal.
- 23) Honey Hole Starkweather Ave. – 584 Starkweather - Administrative Recommendation for Renewal
- 24) Westborn Market – 860 Penniman - Administrative Recommendation for Renewal
- 25) Greek Islands – 306 S. Main - Administrative Recommendation for Renewal

** License holders with payments due or past payments due should check their records to confirm if the payment has already been made and notify the City Treasurer (734-453-1234 ext. 209.) Contact with the City Treasurer and payment can result in the Administrative Recommendation being changed in advance of the Public Hearing. Past due tax payments to Wayne County must have a receipt showing payment.*

The City of Plymouth may provide correspondence, reports and/or public comment from the City Manager, Police Chief, City Clerk, Community Development Director, Fire Chief or Inspector, City Treasurer and/or other members of the City of Plymouth Staff.

LOCAL LIQUOR LICENSE REVIEW COMMITTEE WILL MEET AT 6:00 p.m. ON MONDAY, March 18, 2019 AT THE PLYMOUTH CITY HALL TO MAKE A FINAL RECOMMENDATION TO CITY COMMISSION ON RENEWAL, REVOCATION AND NON-RENEWAL OF LIQUOR LICENSES.

Licensees are required to notify the City’s Attorney’s Office at least three (3) days prior to the hearing date if they intend to contest the proposed action, and to provide the names of witnesses known at the time who will testify on their behalf. (Section 8, B6) Contact City Attorney’s Office at – Plunkett & Cooney, Robert Marzano, City Attorney - 248-594-6357.

LLRC RESOLUTION #1

Renewal

The following Resolution was offered by Member _____ and seconded by Member _____.

WHEREAS The City of Plymouth has a Liquor Management Ordinance related to the operation of All Class C Type Liquor Licenses in the City, and

WHEREAS On March 18, 2019, the City Administration presented the Liquor License Review Committee and the City Commission with information about the various liquor licensed establishments in the City, and

WHEREAS The Local Liquor License Review Committee is required to make a Recommendation to the City Commission related to the renewal, revocation and non-renewal of all Liquor Licenses in the City.

NOW THEREFORE BE IT RESOLVED THAT the Local Liquor License Review Committee does hereby recommend to the City Commission that the following licenses be renewed:

- Buon Vino Winery, LLC
- Compari's/Fiamma/Sardine Room (3 locations one license)
- City of Plymouth Recreation
- Hermanns Olde Town Grill
- Mayflower Meeting House
6695 VFW
- Nico & Vall
#3292
- Bigalora/Arbor Brewing
- Plymouth ROC – 1020 W. Ann Arbor Road
(Starkweather)
- Sean O'Callaghan's
- E.G. Nicks
- Aqua
- Greek Islands
- Pizza E Vino
- * Park Place Gastro Pub
- * Barrlo – 555 Forest
- * Ironwood Grill
- * Mayflower – Lt. Gamble Post
- * Plymouth Knights of Columbus
- * Penn Grill
- * Stella's Trackside
- * Post Local Bistro
- * Stella Dog Brewery (Fralick)
- * Westborn Market
- * Pakwaan Restaurant
- * The Honey Hole

LLRC RESOLUTION #2

Non-Renewal

The following Resolution was offered by Comm. _____ and seconded by Comm. _____.

- WHEREAS The City of Plymouth has a Liquor Management Ordinance related to the operation All Class C Type Liquor Licenses in the City, and
- WHEREAS On March 18, 2019 the City Administration presented the Liquor License Review Committee and the City Commission with information about the various Liquor licensed establishments in the City, and
- WHEREAS The Local Liquor License Review Committee is required to make a Recommendation to the City Commission related to the renewal, revocation and non-renewal of all Liquor Licenses in the City.

NOW THEREFORE BE IT RESOLVED THAT the Local Liquor License Review Committee of the City of Plymouth recommends to the City Commission that the following license NOT BE RENEWED due to violations of the City's Liquor Management Ordinance Section 6-39 (4) & (7)

- Norton X Brewing, LTD
- Liberty Street Brewing