



**CITY OF PLYMOUTH
MEETING MINUTES**

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MEETING MINUTES

Local Liquor License Review Committee (LLRC)

Monday, February 29, 2016

City Hall – 4:00 p.m.

CALL TO ORDER: Members Present- Dan Dwyer, Joe Valenti, Colleen Pobur

APPROVAL OF MEETING MINUTES of March 16, 2015 - It was moved by Member Dwyer and seconded by Member Valenti to approve the Meeting Minutes of October 6, 2014.

MOTION PASSED

ANNUAL REVIEW OF LIQUOR LICENSES & RECOMMENDATION – Chairperson Pobur indicated that there were no violations filed with the State of Michigan Liquor Control Commission this past year. There was discussion between the Committee members indicating that the limited amount of amount of complaints and issues coming before the LLRC shows that the licensed establishments are working hard to keep complaints down and the Police Department is also working hard with the establishments in an effort to address issues, before they become larger and end up before the LLRC.

It was noted that based on recent information to the City Administration that the Administration was recommending renewal of all licenses except the Plymouth Crossings, due to outstanding issues with the City in accordance with the Liquor Management Ordinance.

The following Resolution was offered by Member Dwyer and seconded by Member Valenti.

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 February 29, 2016, the City Administration presented the Liquor License Review Committee with information about the various Liquor licensed establishments in the City, and

WHEREAS A Public Hearing Notice was posted and mailed to Liquor License Holders indicating A Public Hearing would be held before the City Commission on March 7, 2016 and that

A meeting of the Liquor License Review Committee (LLRC) would be held on February 29, 2016 to make a recommendation to the City Commission related to the renewal, revocation or non-renewal of Liquor Licenses in The City, and

WHEREAS The LLRC Meeting and the Public Hearing before the City Commission allows the Ownership of the liquor licensed establishments an opportunity to provide input to The Local Liquor License Review Committee and the City Commission prior to any Recommendation or decision being rendered.

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 * 336 Main
- Compari's/Fiamma/Sardine Room (3 locations one license)
- City of Plymouth Recreation * Barrio – 555 Forest
- Hermanns Olde Town Grill * Ironwood Grill
- Mayflower Meeting House * Mayflower – Lt. Gamble Post
6695 VFW
- Nico & Vali * Plymouth Knights of Columbus #3292
- Box Bar * Penn Grill
- Plymouth ROC – 1020 W. Ann Arbor Road * Station 885
- Sean O'Callaghan's * Post Local Bistro
- E.G. Nicks * Stella Dog Brewery
- Aqua * Liberty Street Brewing
- Norton X Brewing * Panache/Bamboo

MOTION PASSED

After the above motion passed there was a discussion related to the one outstanding license for Plymouth Crossings and the over \$80,000 that the building has due to the City. Attorney Mike Sutherland was on hand representing the Plymouth Crossings. He indicated to the LLRC that the historic building has a cash flow problem as a result of a flood of biblical proportions. There was discussion of the building owner's issues with their insurance company and the resulting change in insurance adjusters. Attorney Sutherland indicated that there is currently litigation on-going between the owner of the building and their insurance company.

Mayor Dwyer indicated that we hear you and understand the issues that your client is facing as a result of the flood which occurred in the building in the winter of 2015. The Mayor continued indicating that the City has a fair ordinance and that we have uniformly applied the rules over several years. The Mayor also stated that he did not know how to not apply the Ordinance to this situation.

Member Valenti indicated that other vendors are expecting payment and that if the building owner failed to pay utility bills the utility would be cut off.

After the discussion the following Resolution was offered by Member Dwyer and seconded by Member Valenti:

- 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 February 29, 2016, the City Administration presented the Liquor License Review Committee with information about the various Liquor licensed establishments in the City, and
- WHEREAS A Public Hearing Notice was posted and mailed to Liquor License Holders indicating A Public Hearing would be held before the City Commission on March 7, 2016 and that A meeting of the Liquor License Review Committee (LLRC) would be held on February 29, 2016 to make a recommendation to the City Commission related to the renewal, revocation or non-renewal of Liquor Licenses in the City, and
- WHEREAS The LLRC Meeting and the Public Hearing before the City Commission allows the Ownership of the liquor licensed establishments an opportunity to provide input to The Local Liquor License Review Committee and the City Commission prior to any Recommendation or decision being rendered.

NOW THEREFORE BE IT RESOLVED THAT the Local Liquor License Review Committee does hereby recommend to the Plymouth City Commission that the following license be given until the end of business on Monday, March 7, 2016 to come into compliance with City Ordinances, to include the payment of all monies due/past due to the City of Plymouth or the recommendation to the City Commission shall be to non-renew or revoke the license

- Plymouth Crossings

MOTION PASSED

There was then discussion of the two licenses that are currently in Escrow with the State of Michigan

including the licenses for Panache/Bamboo and the Plymouth Crossing. City Ordinance Section 6.41 allows the LLRC and City Commission to make a recommendation to the State Liquor Control Commission terminate a license that has been in Escrow for more than one year.

The following Resolution was moved by Member Dwyer and Seconded by Member Valenti:

NOW THEREFORE BE IT RESOLVED to notify the ownership of Panache/Bamboo and the Plymouth Crossing that it is the intent of the Local Liquor License Review Committee to recommend to the City Commission that they should request that the State Liquor Control Commission terminate their licenses should they still be in Escrow at the start of 2017.

MOTION PASSED

ANNUAL REVIEW TO MAINTAIN, EXPAND OR DELETE TOTAL NUMBER OF ALLOWABLE ON-PREMISES LICENSES IN ACCORDANCE WITH SECTION 6-37d OF THE CITY CODE - On this topic there was considerable discussion. Chairperson Pobur had City Manager Sincock give a brief overview of the Ordinance and the annual requirement to review the number of licenses in the City.

Member Valenti stated that he was concerned about the possible dilution of what we have with regards to the stresses that additional licenses may place on the current businesses and the community.

Member Pobur stated that liquor licenses are hard to come by in Wayne County. We are at a good level now. Police issues are down. Parking and the character of the community are considerations as well.

Member Dwyer stated that he is typically a hard NO walking into the room and he has concerns related to the mix of retail as well as parking issues. He indicated that he is struggling with his decision this year and would love to hear more from the public.

A representative of Westborn Market at 860 Penniman stepped forward to make a presentation to expand the number of licenses in the DDA District and to allow them to have the license.

Laura Stevens of 855 Penniman spoke and indicated that there are four bars on her block now and enough is enough. She did not want to see the number of licenses expanded in the City.

Stefan one of the owners of the Greek Islands wants to see the City expand the number of licenses in the DDA District to allow them to have a Tavern License to sell Beer and Wine. This would be in order to meet the demands of their customers and to keep up with the competition. He suggested expanding the number of licenses in the DDA District by two.

The presentations from both Westborn Market and Greek Islands indicated that they wanted to

obtain liquor licenses should they become available.

The Following Resolution was offered by Member Valenti and Seconded by Member Pobur:

WHEREAS The City Commission established the Local Liquor License Review Committee (LLRC) As a part of its Liquor Management Ordinance, and

WHEREAS City Ordinance Section 6-37(d) requires that the Local Liquor License Review Committee 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 Liquor Licenses, and

WHEREAS The LLRC did make a review of the current liquor licenses and the City's potential For maintaining, expanding or deleting the number of 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 they EXPAND the current number of liquor licenses in the City. The Local Liquor License Review Committee recommends to the City Commission that 15 licenses (increase of 1) within the B-2 Zoning District (DDA) and that 10 Licenses (no increase) be allowed within the B-1, B-3 and ARC Zoning Districts and that the total number of liquor licenses shall NOT EXCEED 25 Licenses (increase of 1) City wide in accordance with the current Zoning and Liquor Management Ordinances.

MOTION PASSED 2 – 1

Pobur – Yes

Valenti – Yes

Dwyer - No

REQUEST FOR SMALL DISTILLER LICENSE FOR VOKIN, LLC – The City has received an application from Vokin Vodka for a Small Distiller License to be located at 710 Junction. The members of the LLRC have received a communication from the City Attorney related to this matter.

The Following Resolution was offered by Member Dwyer and seconded by Member Valenti:

NOW THEREFORE BE IT RESOLVED THAT the Local Liquor License Review Committee has received a letter from the City Attorney related to this matter and they would like to go into closed session to review the letter that is subject to Attorney – Client Privilege and that the LLRC now move to Closed Session for discussion with the City Attorney.

MOTION PASSED – ROLL CALL VOTE

Dwyer – Yes

Valenti – Yes

Pobur – Yes

After the Closed Session of the LLRC they returned to open session. There was a brief discussion related to the operation and the lack of a “tasting room or space” at the location on Junction. The owner of the business indicated that he was aware of that and that he had no intentions of running a “tasting room or space” as a part of his operations and license. Member Dwyer indicated that City Ordinance would prohibit a “tasting room or space” and if one opened under his license he would be in violation of City Ordinance. The owner stated that he was aware of those restrictions and was only interested in the distilling operations.

The following Resolution was offered by Member Dwyer and Seconded by Member Valenti:

WHEREAS The City Commission established the Local Liquor License Review Committee (LLRC) As a part of its Liquor Management Ordinance, and

WHEREAS There was an application for a Small Distiller License to be located at 710 Junction And distilling is an allowed use in that Zoning District, and

WHEREAS The owner acknowledged and is aware that no tasting of product is allowed in that Zoning District or elsewhere in the City as it would violate Zoning Ordinances and the Liquor Management Ordinance.

NOW THEREFORE BE IT RESOLVED THAT the Local Liquor License Review Committee does hereby recommend to the City Commission that they approve the Application for Small Distiller License for Vokin Vodka, LLC.

MOTION PASSED

REQUEST FOR CLASS C LICENSE TRANSFER INTO THE CITY FOR WESTBORN MARKET – The City has

Received an application from Westborn Plymouth for a Class C License for their location at 860 Penniman as well as additional permits to include Sunday Sales AM/PM and permits for Outdoor Service Area.

The Following Resolution was offered by Member Dwyer and seconded by Member Valenti:

A motion to Table this matter for a period of up to 90 Days.

MOTION PASSED

ADJOURNMENT- There being no further business to come before the LLRC it was moved by Member Valenti and seconded by Member Dwyer to adjourn the meeting.

MOTION PASSED

Respectfully submitted:

Paul Sincock
City Manager