

CITY OF ANN ARBOR COUNCIL LIQUOR LICENSE REVIEW COMMITTEE
December 12, 2008

The City of Ann Arbor Council Liquor License Review Committee Meeting was called to order by the Chairman, Stephen Rapundalo, at 3:40 p.m. on December 12, 2008, in the City Council Chamber, 100 N. Fifth Avenue, Ann Arbor, MI, 48104.

The members present were Councilmembers Stephen Rapundalo, Tony Derezinski and Mike Anglin. City Clerk Jacqueline Beaudry and Assistant City Attorney Mary Fales were present. Fire Marshal Kathleen Chamberlain and Police Sgt. Jeff Connelly were also in attendance.

APPROVAL OF AGENDA

Anglin moved, seconded by Derezinski, that the agenda be approved with the following changes:

Add: Committee Review Procedures - Update for New Members (City Clerk)

On a voice vote, the motion carried and the agenda was approved as amended.

APPROVAL OF MINUTES

Anglin moved, seconded by Derezinski, to approve the minutes of October 17, 2008 as presented.

On a voice vote, the motion carried.

COMMITTEE REVIEW PROCEDURES

The City Clerk Jacqueline Beaudry outlined the liquor license review process in the City, including the role of staff and the Liquor License Review Committee. Beaudry stated transfer applications are received by the City from the State Liquor Control Commission (MLCC). The City requires its own review and application process prior to forwarding a recommendation on the transfer to the State. Staff from Police, Fire, Building and Treasury review the applications. A recommendation is made by the committee and the application is placed on the Council agenda for a recommendation. New licenses, including the downtown redevelopment licenses, have a slightly different process that begins at the local level. The City reviews applications for new licenses first. Only those applicants that the City recommends for new licenses are sent to the MLCC for final review and approval.

ACTION ITEMS:

OLD BUSINESS

1. Studio 4 Transfer Request (postponed by committee pending receipt of plan- due to City Attorney by 11/26/08)

The applicant, Mr. Jeff Mangray, and his attorney, Nabib H. Ayad, were called before the committee to update the committee regarding the action plan that was submitted to the City Attorney's Office. Mr. Ayad reviewed the plan and stated his client plans to work with the Ann Arbor Police Department in the future regarding calls for service and issues at the establishment. He stated the plan includes new management tools and training techniques to prepare the staff to address possible violations. The applicant also noted that he has hired Crime Prevention Security, a private security company, in the last six months.

Chairman Rapundalo asked for clarification regarding the relationship between the management of the establishment and the ownership. It was clarified that the current management of Studio 4 is purchasing the liquor license from another owner (Papa Chulo's). The existing management and the business will remain the same.

Sgt. Jeff Connelly of the Ann Arbor Police Department updated the committee regarding violations at the establishment, including both liquor license violations and crimes occurring at the club or just outside the club, involving club patrons.

Anglin suggested the applicant reconsider some of their staffing policies, including the procedures for bouncers and ID checks.

Derezinski stated he is a new member on the committee. He noted that the last meeting minutes reference violations that resulted in two 3-day suspensions of the liquor license. He asked for clarification on this matter. The applicant responded that the violation occurred last New Year's Eve. Sgt. Connelly noted that the incident involved an intoxicated underage girl who had passed out. Criminal Sexual Conduct was suspected.

Chairman Rapundalo noted that the applicant's action plan includes wristbands and new hand stamps. He stated that these were not aggressive solutions. He requested more information from the police regarding crime statistics.

A motion was made on the committee's recommendation. The motion passed 2 – 1 (Anglin, Derezinski – yes; Rapundalo – no).

The City Clerk asked for clarification regarding the motion. Motion was to forward a recommendation of approval from the Liquor Committee to the City Council.

Derezinski stated the motion was not clear to all of the committee members during the vote. He moved to reconsider, seconded by Anglin. On a voice vote, the motion to reconsider the motion passed unanimously.

Anglin moved, seconded by Derezinski, that the City Council Liquor License Review Committee recommend to City Council approval of the application by V.R. Entertainment Network for the transfer of ownership of a 2007 Class C Liquor Licensed Business with Dance-Entertainment permit, located at 314-316 S. Fourth – dba Studio 4.

On a roll call the vote was as follows, with the Chair declaring the motion to recommend approval failed.

Yes – Anglin

No – Derezinski, Rapundalo

It was decided that the recommendation would be forwarded to the City Council for their January 5 agenda.

2. Redevelopment License Applications

The City Clerk briefed the committee on the status of three redevelopment license applications. She stated the application from Everyday Cook had been approved by the City Council on July 7, 2008, but the applicant had still not paid the City fee for a new license. This application was still considered pending and had not yet been forwarded to the MLCC. Two other applicants, Silvio's Organic Pizza and Caliente Grill had incomplete applications and had been contacted by certified mail to complete their applications. The due date was November 2008. Neither applicant had responded. The City Clerk asked the committee for permission to consider these applications inactive.

Derezinski moved, seconded by Anglin, that the following applications for a downtown redevelopment license be considered inactive: Everyday Cook, Silvio's Organic Pizza and Caliente Grill. On a voice vote, the motion carried.

NEW BUSINESS

1. Min and Kim Inc. Liquor License Transfer of Ownership Request (Seoul Garden – 3125 Boardwalk)

Derezinski moved, seconded by Anglin, that the City Council Liquor License Review Committee recommend to City Council approval of the application by Min and Kim, Inc. for the transfer of ownership of a Class C Liquor Licensed Business located at 3125 Boardwalk – Seoul Garden. On a voice vote, the motion carried.

2. UMI Trading Inc. Liquor License Transfer of Ownership and Location Request From 3965 S. State (in escrow) to 3393 Plymouth Road Unit B (Japanese and Sushi restaurant)

The city clerk stated this transferred license is currently held in escrow at 3965 S. State Street. The new business opening on Plymouth Road did not yet have a name attached to the file, but would be a sushi restaurant.

Derezinski moved, seconded by Anglin, that the City Council Liquor License Review Committee recommend to City Council approval of the application by UMI Trading Inc. for the transfer of ownership and location of a Class C Liquor Licensed Business from 3965 S. State to 3393 Plymouth Road. On a voice vote, the motion carried.

It was decided to place these items on the December 15, 2008 agenda.

FUTURE BUSINESS

1. HBSB Holdings, Inc. Request to Amend Class C License Approval to include a New Dance-Entertainment Permit (Salsarita's – 401 E. Liberty)

The city clerk noted that a request from the MLCC had been received in the Clerk's Office regarding a Dance Permit for the new Class C license recently awarded to Salsarita's. The applicant had been contacted by the City and had not yet responded.

ADJOURN

With no further business before the committee, the Chair called the meeting adjourned at 4:40 p.m.

Respectfully submitted by

Jacqueline Beaudry
Ann Arbor City Clerk