TO: Mayor & City Commissioners  
FROM: Ken Hibl, City Manager  
DATE: February 26, 2015  
RE: Transfer of Liquor License – Ruckle’s Pier

For the Agenda of March 2, 2015

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**Background.** The City has received notice (*copy att’d*) from the Michigan Liquor Control Commission (LCC) regarding the requested transfer of controlling stock for the liquor license of Ruckle’s Pier. As reflected in the letter, the LCC does not require formal approval of the City to approve the requested transfer; however, they have asked for and will consider opinions of local residents, the City Commission, and our Police Chief; consequently, we’ve placed this matter on the Commission’s agenda to formally record the Commission’s opinion. Chief Gregory has stated he has no objection to the transfer.

**Issues & Questions Specified.** Should the City Commission offer an opinion of objection or concurrence to the transfer of the liquor license?

**Alternatives.**
1. Offer an opinion of objection.
2. Offer an opinion of concurrence.
3. Offer no opinion.
4. Defer/delay decision of this matter to a subsequently scheduled City Commission meeting.

**Financial Impact.** There is no direct fiscal impact to the City.

**Recommendation.** I can offer no reason or justification that the City should object to this transfer; consequently, I recommend that the City Commission offer an opinion of concurrence of the transfer of the liquor license by adoption of Resolution 2015-019 (*copy att’d*).

**Attachments.**
1. LCC Correspondence.
February 24, 2015

City of Clare
Attn: Clerk
202 W. Fifth St,
Clare, MI 48617
dlyon@cityofclare.org

The purpose of this letter is to notify this local legislative body that the Michigan Liquor Control Commission has received an application for a license, as follows:

Request ID#: 775290

Transfer interest in LICENSE TYPE: TRANSFER STOCK INTEREST BY DROPPING ANGELA M. CHICILLI, ALAN L. KNOWLES II, AND DEBORAH S. KNOWLES AS STOCKHOLDERS THROUGH TRANSFER OF 6,250 SHARES OF STOCK EACH TO NEW STOCKHOLDER, JASON C. RICKETTS.

Name of applicant(s): RUCKLE’S PIER, INC.

Business address and phone: 403-407 MC EWAN, CLARE 48617

Home address and phone number of partner(s)/subordinates:
JASON C. RICKETTS, 112 HEIDI CT., ROSCOMMON, MI 48653 989.708.0487

Under administrative rule R 436.1105, the Commission shall consider the opinions of the local residents, local legislative body, or local law enforcement agency with regard to the proposed business when determining whether an applicant may be issued a license or permit. Since this request is a transfer under MCL 436.1529(1), approval of the local unit of government is not required.

Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. The licensee must obtain all other required state and local licenses, permits, and approvals before using this license for the sale of alcoholic liquor.

Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements.

MICHIGAN LIQUOR CONTROL COMMISSION
Retail Licensing Division (866) 813-0011
A RESOLUTION OF THE CLARE CITY COMMISSION OFFERING ITS OPINION OF NO OBJECTION TO THE TRANSFER OF CONTROLLING STOCK OF THE LIQUOR LICENSE OF RUCKLE’S PIER.

WHEREAS, the City has received correspondence from the Michigan Liquor Control Commission (LCC) providing notice of a proposed transfer of controlling stock of the liquor license of Ruckle’s Pier, a business establishment within the jurisdictional boundaries of the City of Clare; and

WHEREAS, the LCC does not require the approval of said transfer but has asked the opinion of the City, its residents, and the Clare Police Department; and

WHEREAS, the City’s Police Chief has offered a statement of no objection related to the proposed transfer; and

WHEREAS, the City Commission has similarly determined it has no justifiable cause or reason to object to said transfer.

NOW THEREFORE BE IT RESOLVED that the City Commission of the City of Clare hereby offers its opinion of “no objection” to the proposed transfer of the controlling stock of the liquor license of Ruckle’s Pier.

BE IT FURTHER RESOLVED that the City Commission hereby directs its City Clerk to provide said opinion of “no objection” to the Michigan Liquor Control Commission.

ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INSO FAR AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.

The Resolution was introduced by Commissioner _____________ supported by Commissioner __________________. The Resolution declared adopted by the following roll call vote:

YEAS:

NAYS:

ABSENT:

Resolution approved for adoption on this 2nd day of March 2015.

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Diane Lyon, City Clerk