

CITY OF MUSKEGON

CITY COMMISSION MEETING

NOVEMBER 13, 2020 @ 1:00 P.M.

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440
REMOTE MEETING**

Special Meeting

AGENDA

1. Tasting License for former Boar's Belly Location
2. Public Comment
3. Adjournment

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY-FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT ANN MARIE MEISCH, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TTY/TDD DIAL 7-1-1-22 TO REQUEST A REPRESENTATIVE TO DIAL (231) 724-6705.

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: 11/13/2020	Title: MLCC Tasting License for Former Boars Belly Location
Submitted By: Jake Eckholm	Department: Economic Development
Brief Summary: Boars Belly has permanently closed their location at 333 W. Western Avenue, and there is a new interested party wishing to lease the space. West Michigan Rum Company, parent company of Burl and Sprig, is planning a collaboration with a prominent restaurant in Grand Haven for a restaurant/cocktail bar and requires a liquor license application to be approved by the local unit of government per state statute.	
Detailed Summary: The Boars Belly closed its doors last fall with the intention of becoming a seasonal restaurant, but with the onset of the Covid-19 pandemic they have elected to shut down permanently. The space is available and Burl and Sprig has a contingent lease agreement. This is dependent on them being approved by both the City of Muskegon and the LCC for an Offsite Tasting License, which allows spirits manufacturers the ability to serve samples and cocktails at a location other than their primary facilities. The two applications (one for each suite being leased) are attached to this submission for review by the City Commission. There are also two resolutions attached that must be approved either recommending or not recommending the applications, per the process provided by the Michigan Liquor Control Commission.	
Amount Requested: N/A	Amount Budgeted: N/A
Fund(s) or Account(s): N/A	Fund(s) or Account(s): N/A
Recommended Motion: A motion to approve the resolution recommending license approval as presented.	
For City Clerk Use Only: Commission Action:	



Off-Premises Tasting Room License & Permit Application

For information on manufacturer and wholesaler licenses and permits, including a checklist of required documents for a completed application, please visit the Liquor Control Commission's frequently asked questions website [by clicking this link](#).

Part 1 - Applicant Information

Individuals, please state your legal name. Corporations or Limited Liability Companies, please state your name as it is filed with the State of Michigan Corporation Division.

Applicant name(s): West Michigan Rum Co. LLC											
Address to be licensed: 333 West Western Ave. Suite 2											
City: Muskegon	Zip Code: 49440										
City/township/village where license will be issued: City of Muskegon		County: Muskegon									
Contact name: Cody Wasilchenko	Contact phone: 941-421-6407	Contact email: cody@wmrum.com									
Check all applicable license types that you hold at your licensed manufacturing premises: <table border="0"><tr><td>☐ Small Wine Maker license</td><td>☒ Small Distiller license</td><td rowspan="4">You may only sell, give away, and serve wine or spirits at an Off-Premises Tasting Room Licensed location that you manufacture under the licenses you hold at your licensed manufacturing premises.</td></tr><tr><td>☐ Wine Maker license</td><td>☐ Distiller license</td></tr><tr><td>☐ Brandy Manufacturer license</td><td></td></tr><tr><td></td><td></td></tr></table>			☐ Small Wine Maker license	☒ Small Distiller license	You may only sell, give away, and serve wine or spirits at an Off-Premises Tasting Room Licensed location that you manufacture under the licenses you hold at your licensed manufacturing premises.	☐ Wine Maker license	☐ Distiller license	☐ Brandy Manufacturer license			
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☐ Wine Maker license	☐ Distiller license										
☐ Brandy Manufacturer license											

Part 2 - License, Permit, and Permissions & Fees

License, Permits, Permissions:	Base Fee:	Fee Code MLCC Use Only
☒ Off-Premises Tasting Room License	\$100.00	4038
☒ Sunday Sales Permit (AM)*	\$160.00	4033
☒ Sunday Sales Permit (PM) **	\$15.00	4032
☐ Catering Permit	\$100.00	4031
☒ Dance Permit	No Charge	
☒ Entertainment Permit	No Charge	
☐ Specific Purpose Permit (list activity below):		

Days/Hours requested: _____

☒ Extended Hours Permit No Charge

Check type(s): ☒ Dance ☒ Entertainment

Days/Hours requested: Thurs, Fri, Sat until 2am

☒ Outdoor Service No Charge

☒ Direct Connection(s) No Charge

*Sunday Sales Permit (AM) allows the sale of spirits and wine on Sunday mornings between 7:00am and 12:00 noon, if allowed by the local unit of government.

**Sunday Sales Permit (PM) allows the sale of spirits on Sunday afternoons and evenings between 12:00 noon and 2:00am (Monday morning), if allowed by the local unit of government. No Sunday Sales Permit (PM) is required for the sale of wine on Sunday after 12:00 noon.

A \$70.00 inspection fee is required for a new Off-Premises Tasting Room license.

Inspection Fee: (MLCC Fee Code 4036)	\$70.00
License & Permit Fees:	\$ 275.00
TOTAL FEES:	\$ 345.00

Make Checks Payable to State of Michigan

Part 3 - Off-Premises Tasting Room License Designation

Pursuant to MLC 436.1536, a licensee may have no more than five (5) Off-Premises Tasting Room Licenses where it may sell and serve full drinks. Any Joint Tasting Room Licenses held by the licensee at other locations that are designated for the sale and service of full drinks also count toward the limit of five (5) locations. A licensee may have an unlimited number of Off-Premises Tasting Room Licenses that sell or give away samples only (3 ounces of wine or 1/2 ounce of spirits or brandy per sample).

You must designate the type of Off-Premises Tasting Room License for which you are applying at this location. Please note that this designation cannot be changed once the license is approved and issued.

Off-Premises Tasting Room License Designation (Select One): ☒ Full Drinks ☐ Samples Only

Part 3 - Signature of Applicant

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. Approval of this application by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals for this business before using this license for the sale of alcoholic liquor on the licensed premises.

I certify that the information contained in this form is true and accurate to the best of my knowledge and belief. I agree to comply with all requirements of the Michigan Liquor Control Code and Administrative Rules. I also understand that providing **false** or **fraudulent** information is a violation of the Liquor Control Code pursuant to MCL 436.2003.

Cody Wasilchenko- Owner

11/11/2020

Print Name of Applicant & Title

Signature of Applicant

Date

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries: Constitution Hall - 525 W. Allegan Street, Lansing, MI 48933

Overnight deliveries: 2407 N. Grand River Avenue, Lansing, MI 48906

Fax to: 517-763-0059



Local Government Approval For Off-Premises Tasting Room License
(Authorized by MCL 436.1536)

Instructions for Applicants:

- You must obtain a recommendation from the local legislative body for a new Off-Premises Tasting Room License application.

Instructions for Local Legislative Body:

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a _____ meeting of the _____ council/board
(regular or special) (township, city, village)
called to order by _____ on _____ at _____
the following resolution was offered: (date) (time)
Moved by _____ and supported by _____
that the application from _____
(name of applicant - if a corporation or limited liability company, please state the company name)

for a NEW OFF-PREMISES TASTING ROOM LICENSE

to be located at: _____

It is the consensus of this body that it _____ this application be considered for
(recommends/does not recommend)
approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are _____

Vote

Yeas: _____

Nays: _____

Absent: _____

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the
council/board at a _____ meeting held on _____ (township, city, village)
(regular or special) (date)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

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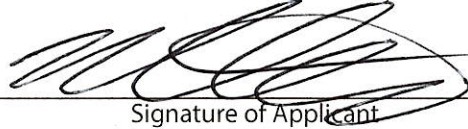
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