

A regular meeting of the Liquor Advisory Committee was held on Monday, April 11, 2011 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Chairman Max K. Ehlert called the meeting to order at 6:57 p.m.

ROLL CALL:

PRESENT: Max K. Ehlert, Chairman
W. Stan Godlewski
Patrick C. Hall
Andrew Kaltsounis
David S. Ogg
Timothy P. Payne

ABSENT: Bohdan L. Ukraineec

ALSO PRESENT: Officer James Feld
Lori Grigg Bluhm, City Attorney
Dane Lepola, student representative
Pat Gladysz

Resolution to Excuse Committee Member Ukraineec

Resolution #LC2011-04-008
Moved by Hall
Seconded by Kaltsounis

RESOLVED, That the absence of Committee member Ukraineec at the Liquor Advisory Committee meeting of April 11, 2011 be **EXCUSED**.

Yes: 6
No: 0
Absent: Ukraineec

Resolution to Approve Minutes of March 14, 2011 Meeting

Resolution #LC2011-04-009
Moved by Hall
Seconded by Godlewski

RESOLVED, That the Minutes of the March 14, 2011 meeting of the Liquor Advisory Committee be **APPROVED**.

Yes: 6
No: 0
Absent: Ukraineec

Agenda Items

1. **Woodberry Wine, LLC** requests a new Wholesale License to be located at 1307 East Maple, Suite B, Troy, MI, 48083, Oakland County {MLCC Req. #607285}.

Present to answer questions from the Committee was Jack Bourget.

Mr. Bourget explained to the Committee that he has operated as a wine importer and a wholesaler in Troy since 2004. A new MLCC regulation prohibits one person from holding both an importer license and a wholesaler license. Due to this recent law change, Mr. Bourget has formed a new business, Woodberry Wine, LLC, of which he is the principal manager. His wife will act as the import license holder for J & J Importers and he will act as the wholesale license holder for Woodberry Wine.

Resolution #LC2011-04-010

Moved by Godlewski

Seconded by Hall

RESOLVED, That the Liquor Advisory Committee recommends that the request of Woodberry Wine, LLC for a new Wholesale License to be located at 1307 East Maple, Suite B, Troy, MI, 48083, Oakland County be **APPROVED**.

Yes: 6
No: 0
Absent: Ukrainec

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2. **Capital Grille Holdings., Inc.** (A North Carolina Corporation) requests New Outdoor Service (1 Area) to be held in conjunction with 2010 Class C and SDM Licensed Business with Official Permit (Food), located at Somerset Collection North, 2800 West Big Beaver, Space #Q 123, Troy, MI 48084, Oakland County. {MLCC Req. #569015}.

Present to answer questions from the Committee was attorney John Carlin.

Mr. Carlin informed the Committee that Capital Grille would like to build an outdoor service patio at their Somerset Collection location. It will be similar to the temporary outdoor service area they built when the Ryder Cup was in Michigan in 2004. The area will be fully fenced, including decorative flower boxes and seating for 42 at tables with umbrellas. No smoking will be allowed in this outdoor area. The fencing will be removed during the winter months. They have received plan approval from the Planning, Building, and Fire Departments.

Resolution #LC2011-04-011

Moved by Hall

Seconded by Godlewski

RESOLVED, That the Liquor Advisory Committee recommends that the request of Capital Grille Holdings., Inc. (A North Carolina Corporation) for a New Outdoor Service (1 Area) to be held in conjunction with 2010 Class C and SDM Licensed Business with Official Permit (Food), located at Somerset Collection North, 2800 West Big Beaver, Space #Q 123, Troy, MI 48084, Oakland County be **APPROVED**.

Yes: 6

No: 0

Absent: Ukrainec

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3. **Sanctuary Lake Golf Management, LLC** (a wholly owned subsidiary of Billy Casper Golf, LLC) and the City of Troy request to Transfer Ownership of 2010 Class C Licensed Business with Official Permit (Food/Golf) & Outdoor Service (1 Area), located at 1450 East South Boulevard, Troy, MI 48085, Oakland County, from Kosch Special Events, LLC. Sanctuary Lake Golf Management, LLC (a wholly owned subsidiary of Billy Casper Golf, LLC) also request that, as an alternative to a transfer of the 2010 Class C Licensed Business (Food/Golf) & Outdoor Service (1 Area) to Sanctuary Lake Golf Management, LLC that the license be issued to the City of Troy with the understanding that Sanctuary Lake Golf Management, LLC will request a Participation Permit under the City of Troy's Class C (Food/Golf) Liquor License.

Due to time constraints, a resolution approving both of these actions as alternatives is requested. Troy City Council will make the final determination of which alternative to pursue.

Present to answer questions from the Committee was attorney John Carlin.

Mr. Carlin informed the Committee there have been changes in the liquor laws regarding concessionaires and hotels. The new law allows for a participation permit to be attached to the license. In the present case, the City of Troy would be the license holder and a participation permit would be issued to the concessionaire. The participation permit can be cancelled at any time by the license holder by way of a letter to the MLCC.

City Attorney Lori Grigg Bluhm advised the Committee that there are some risks associated with participation permits. One risk is that if the City of Troy is the license holder, then they hold the liability and would need to have insurance. The City Attorney's office is researching all the facets of participation permits and the associated risks, and they will advise City Council.

As is set forth above, the City Attorney's office is proposing two alternatives to the resolution on this agenda item due to time constraints. Ms. Bluhm advised that this Committee can definitely make their recommendation to City Council as to which alternative they feel would be best.

Resolution #LC2011-04-012

Moved by Hall

Seconded by Ogg

RESOLVED, That the Liquor Advisory Committee recommends that the request of Sanctuary Lake Golf Management, LLC (a wholly owned subsidiary of Billy Casper Golf, LLC) to transfer the 2010 Class C Licensed Business (Food/Golf) & Outdoor Service (1 Area) to Sanctuary Lake Golf Management, LLC and the license be issued to the City of Troy with the understanding that Sanctuary Lake Golf Management, LLC will request a Participation Permit under the City of Troy's Class C (Food/Golf) Liquor License be **APPROVED**. Also, as an alternative, the Liquor Advisory Committee recommends that the request of Sanctuary Lake Golf Management, LLC (a wholly owned subsidiary of Billy Casper Golf, LLC) and the City of Troy to Transfer Ownership of 2010 Class C Licensed Business with Official Permit (Food/Golf) & Outdoor Service (1 Area), located at 1450 East South Boulevard, Troy, MI 48085, Oakland County, from Kosch Special Events, LLC be **APPROVED**.

Yes: 6

No: 0

Absent: Ukrainec

Officer Feld advised the Committee on the following:

Hollywood Super Market No. 3

This request for transfer should appear on next month's Agenda.

The St. Andrews Society of Detroit

This request for dance permit should appear on next month's Agenda.

Cameron Mitchell Restaurants (Ocean Prime)

This request will be held off until next year.

Smoker's Express

After being denied by City Council, the applicant appealed to the MLCC and they were successful. City Attorney Lori Grigg Bluhm mentioned that a copy of the MLCC opinion will be sent to members of this Committee.

City Attorney Ms. Bluhm advised that the decision to not hold liquor violation hearings this year was due in part to staff reductions in many city departments. While she acknowledged the value of the hearings, she stated that the forceful letter sent from

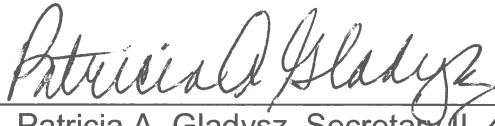
the Police Department required those businesses with violations to re-train their employees in either TIPS or TAMS, and forward verification of that training to Officer Feld.

Ms. Bluhm also informed the Committee that Crank's Catering has withdrawn from consideration to be awarded the catering contract at the Community Center. There are other applicants that are now being considered.

The meeting adjourned at 7:50 p.m.



Max K. Ehlert, Chairman



Patricia A. Gladysz, Secretary II