

November 22, 2005

TO: Mr. John Szerlag, City Manager

FROM: Charles Craft, Chief of Police  
Gary Mayer, Police Captain  
Chris Stout, Police Sergeant

SUBJECT: Agenda Item - Application for Transfer of Class C License for D.I. Supply, Inc.

D.I. Supply, Inc (a Missouri Corporation) requests to transfer ownership of a 2005 Class C licensed business with entertainment permit and official permit (food), located in escrow at 585 W. Big Beaver, Troy, MI 48084, Oakland County, from O' Grady's Irish Pub, Inc. (Step 1)

At its November 14th meeting, the Liquor Advisory Committee entertained this request. Present to answer questions from the Board was attorney John Carlin. D.I. Supply, Inc. is the company that operates the Drury Inn. This is step one of a two-step transfer. This is a paper transfer and D.I. Supply, Inc. will then transfer the license to Kruse and Muer Troy, LLC.

The Committee unanimously approved this request.

The police department has no objection to this request.

Michigan Department of Labor & Economic Growth  
**LIQUOR CONTROL COMMISSION**  
7150 Harris Drive  
P.O. Box 30005  
Lansing, Michigan 48909-7505

**POLICE INVESTIGATION REQUEST**  
[Authorized by MCL 436.1201(4)]

To: TROY POLICE DEPARTMENT  
CHIEF OF POLICE  
500 WEST BIG BEAVER ROAD  
TROY, MI 48084-5285

Date: September 2, 2005  
REF#: 319038

Chief Law Enforcement Officer

Applicant:

D. I. SUPPLY, INC. (A MISSOURI CORPORATION) REQUESTS TO TRANSFER OWNERSHIP OF 2005 CLASS C LICENSED BUSINESS WITH ENTERTAINMENT PERMIT AND OFFICIAL PERMIT (FOOD), LOCATED IN ESCROW AT 585 W. BIG BEAVER, TROY, MI 48084, OAKLAND COUNTY, FROM O'GRADY'S IRISH PUB, INC.; ~~AND REQUESTS A NEW ADDITIONAL BAR PERMIT~~ (STEP 1).

Please make an investigation of the application. If you do not believe that the applicants are qualified for licensing, give your reasons in detail. Complete the Police Inspection Report on Liquor License Request, LC-1800, or for Detroit police, the Detroit Police Investigation of License Request, LC-1802. If there is not enough room on the front of the form, you may use the back.

Forward your report and recommendations of the applicant to the Licensing Division.

If you have any questions, contact the Licensing Division at (517) 322-1400, after 10:00 a.m.

LC-1972 Rev. 9/17  
4880-1658

sfs

**POLICE INSPECTION REPORT ON LIQUOR LICENSE REQUEST**

Req ID #319038

(Authorized by MCL 436.1217)

Michigan Department of Labor & Economic Growth  
**MICHIGAN LIQUOR CONTROL COMMISSION**  
7150 Harris Drive  
P.O. Box 30005  
Lansing, Michigan 48909-7505

**Important: Please conduct your investigation as soon as possible and complete all four sections of this report. Return the completed report and fingerprint cards to the Commission.**

BUSINESS NAME AND ADDRESS: (include zip code)

D. I. SUPPLY, INC. (A MISSOURI CORPORATION), 585 W. BIG BEAVER, TROY, MI 48084, OAKLAND COUNTY

REQUEST FOR:

REQUEST TO TRANSFER OWNERSHIP OF 2005 CLASS C LICENSED BUSINESS (IN ESCROW) WITH ENTERTAINMENT PERMIT AND OFFICIAL PERMIT (FOOD), FROM O'GRADY'S IRISH PUB, INC.; AND REQUEST A NEW ADDITIONAL BAR PERMIT (STEP 1).

**Section 1. APPLICANT INFORMATION**

APPLICANT #1: **NO FINGERPRINTS REQUIRED**

DRURY INNS, INC. (A MISSOURI CORPORATION) – STOCKHOLDER

APPLICANT #2:

HOME ADDRESS AND AREA CODE/PHONE NUMBER:

721 EMERSON, SUITE 400

ST. LOUIS, MO 63141

(314)587-3126

HOME ADDRESS AND AREA CODE/PHONE NUMBER:

DATE OF BIRTH:

If the applicant is not a U.S. Citizen:

Does the applicant have permanent Resident Alien status?  
 Yes  No

Does the applicant have a Visa? Enter status:

Date fingerprinted:

DATE OF BIRTH:

If the applicant is not a U.S. Citizen:

Does the applicant have permanent Resident Alien status?  
 Yes  No

Does the applicant have a Visa? Enter status:

Date fingerprinted:

**Attach the fingerprint card and \$30.00 for each card and mail to the Michigan Liquor Control Commission.**

ARREST RECORD:  Felony  Misdemeanor

Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

ARREST RECORD:  Felony  Misdemeanor

Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

**Section 2. Investigation of Business and Address to be Licensed**

Does applicant intend to have dancing or entertainment?

No  Yes, complete LC-693N, Police Investigation Report: Dance/Entertainment Permit

Are gas pumps on the premises or directly adjacent?  No  Yes, explain relationship:

**Section 3. Local and State Codes and Ordinances, and General Recommendations**

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted?  Yes  No

If you are recommending approval subject to certain conditions, list the conditions: (attach a signed and dated report if more space is needed)

**Section 4. Recommendation**

From your investigation:

1. Is this applicant qualified to conduct this business if licensed?  Yes  No

2. Is the proposed location satisfactory for this business?  Yes  No

3. Should the Commission grant this request?  Yes  No

4. If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report if more space is needed)

Signature (Sheriff or Chief of Police)

Date

TROY POLICE DEPARTMENT



## LOCAL LAW ENFORCEMENT AGENCY REPORT

DANCE/ENTERTAINMENT/TOPLESS ACTIVITY PERMIT  
 (Authorized by MCL 436.1916)

D. I. SUPPLY, INC. (A MISSOURI CORPORATION)

APPLICANT/LICENSEE

PHONE NUMBER

STREET ADDRESS

CITY

TOWNSHIP

COUNTY

ZIP

X

**PERMIT(S) REQUESTED: DANCE ENTERTAINMENT TOPLESS ACTIVITY**

- The dance floor will not be less than 100 square feet, is clearly marked and well defined when there is dancing by customers. YES NO N/A
- Describe the type of entertainment applicant/licensee will provide: N/A

Will this entertainment include topless activity? YES NO N/A

**LAW ENFORCEMENT RECOMMENDATION**

DANCE PERMIT	YES	NO	N/A
ENTERTAINMENT PERMIT	YES	NO	N/A
TOPLESS ACTIVITY PERMIT	YES	NO	N/A

**REMARKS:**

DATE SUBMITTED

OFFICER=S SIGNATURE

DEPARTMENT NAME

PHONE NUMBER

ADDRESS

CITY

MICHIGAN DEPARTMENT OF COMMERCE  
LIQUOR CONTROL COMMISSION

7150 Harris Dr.  
P.O. Box 30005  
Lansing, Michigan 48909

Req ID #319038

APPLICATION FOR OFFICIAL PERMIT FOR DIFFERENCE IN HOURS OF OPERATION

(Authorized by MAC Rule 436.1437)

APPLICANT OR LICENSEE:

D.I. Supply, Inc. (a Missouri Corporation)

ADDRESS: 585 W. Big Beaver, Troy, MI 48084

TYPE OF LICENSE:

Class C

The Commission is requested to grant an after hours permit for: (Check boxes that apply)

- Operating our restaurant for the sale of food
- Operating night league bowling, tournaments or Sunday morning bowling
- Registering golfers
- Registering Skiers
- Registering Tennis Players
- Other: (Not listed above)

MILCO LICENSING  
2015 AUG 15 AM 9:45

During the Hours of:

Weekdays \_\_\_\_\_ A.M. to \_\_\_\_\_ A.M.

Sundays 7:00 A.M. to 10:00 ~~NOON~~ a.m.

It is understood that customers shall not be on the licensed premises for any activity other than the requested activity.

Licensee or Applicant Signatures:

D.I. Supply, Inc.

By: Joseph B. Hereles  
Joseph B. Hereles, Vice President & General Counsel

LOCAL LAW ENFORCEMENT RECOMMENDATION

To: Law Enforcement Agency:

This Application is for official permits allowing the after hours operations indicated above. Will you please enter your recommendations below and return one signed copy to the Commission.

- Recommended: Comments: \_\_\_\_\_
- Recommended except for \_\_\_\_\_ permit
- Not Recommended

Signed: (Include title and date)

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LIQUOR CONTROL COMMISSION

**RESOLUTION**

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
(Regular or Special) (Township Board, City or Village Council)

called to order by \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_ P.M.

The following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

**That the request from D. I. SUPPLY, INC. (A MISSOURI CORPORATION) TO TRANSFER OWNERSHIP OF 2005 CLASS C LICENSED BUSINESS WITH ENTERTAINMENT PERMIT, LOCATED IN ESCROW AT 585 W. BIG BEAVER, TROY, MI 48084, OAKLAND COUNTY, FROM O'GRADY'S IRISH PUB, INC. (STEP 1).**

be considered for \_\_\_\_\_  
(Approval or Disapproval)

**APPROVAL**

**DISAPPROVAL**

Yeas: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Absent: \_\_\_\_\_

It is the consensus of this legislative body that the application be:

\_\_\_\_\_ for issuance  
(Recommended or not Recommended)

State of Michigan \_\_\_\_\_)

County of \_\_\_\_\_)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
(Township Board, City or Village Council) (Regular or Special)

meeting held on \_\_\_\_\_  
(Date)

SEAL

(Signed) \_\_\_\_\_  
(Township, City or Village Clerk)

\_\_\_\_\_  
(Mailing address of Township, City or Village)

A regular meeting of the Liquor Advisory Committee was held on Monday, November 14, 2005 in the Lower Level Conference Room of Troy City Hall, 500 West Big Beaver Road. Committee member James Peard called the meeting to order at 7:00 p.m.

**ROLL CALL:**

**PRESENT:** Alex Bennett  
W. Stan Godlewski  
Patrick C. Hall  
James R. Peard  
Bohdan L. Ukrainec  
Lieutenant Michael Lyczkowski  
Sergeant Christopher Stout  
Pat Gladysz

**ABSENT:** Max K. Ehlert, Chairman  
Henry W. Allemon

**Resolution to Excuse Committee Members Ehlert and Allemon**

Resolution #LC2005-11-024  
Moved by Bennett  
Seconded by Ukrainec

RESOLVED, that the absence of Committee members Ehlert and Allemon at the Liquor Advisory Committee meeting of November 14, 2005 BE EXCUSED.

Yes: 5  
No: 0  
Absent: Ehlert, Allemon

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**Resolution to Approve Minutes of September 12, 2005 Meeting**

Resolution #LC2005-11-025  
Moved by Ukrainec  
Seconded by Godlewski

RESOLVED, that the Minutes of the September 12, 2005 meeting of the Liquor Advisory Committee be approved.

Yes: 5  
No: 0  
Absent: Ehlert, Allemon

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**Agenda Items**

1. **D. I. SUPPLY, INC** (A Missouri Corporation) requests to transfer ownership of 2005 Class C licensed business with entertainment permit and official permit (food) located in escrow at 585 W. Big Beaver, Troy MI 48084, Oakland County, from O’ Grady’s Irish Pub. [MLCC REQ ID # 319038]  
(Step 1) *Drury Inn*

Present to answer questions from the Committee was John Carlin.

Mr. Carlin explained to the Committee that this request is to transfer the license held in escrow from O’Grady’s Irish Pub to D. I. Supply, Inc., which is solely owned by Drury Inn, Inc. Item No. 2 of tonight’s agenda will complete the transaction to transfer the license from Drury Inn to Kruse & Muer Troy, LLC.

Resolution #LC2005-11-026  
Moved by Ukrainec  
Seconded by Godlewski

RESOLVED, that D. I. SUPPLY, INC (A Missouri Corporation) be allowed to transfer ownership of 2005 Class C licensed business with entertainment permit and official permit (food) located in escrow at 585 W. Big Beaver, Troy MI 48084, Oakland County, from O’ Grady’s Irish Pub.

Yes: 5  
No: 0  
Absent: Ehlert, Allemon

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2. **KRUSE & MUER TROY, LLC** requests to transfer ownership of 2005 Class C licensed business with entertainment permit, located in escrow at 585 W. Big Beaver, Troy, MI 48084 Oakland County, from D.I. Supply, Inc. (A Missouri Corporation); and transfer location to 911 Wilshire, Troy MI 48084, Oakland County; request new dance permit. [MLCC REQ ID# 319519]  
(Step 2) *Kruse and Muer Troy*

Present to answer questions from the Committee were John Carlin and William Kruse.

Mr. Kruse explained to the Committee that he plans to open his 6<sup>th</sup> Kruse & Muer Restaurant at the former TGI Friday's location on Wilshire. He plans to make minor modifications to the 9,300 square foot building, including landscaping and signage. There are 154 seats, with an additional 19 seats at the bar and 32 on an outdoor patio. There are 155 exclusive parking spaces for the restaurant, with extensive additional parking available in the evening when the office building spaces are not occupied. The restaurant will be open 6 days per week for lunch and 7 days per week for dinner. The management will be transferred from existing restaurants, and entire staff will be trained in all aspects of the liquor laws.

Mr. Kruse has been in the restaurant business for many years. He began as an employee of C. A. Muer Corporation and opened his first restaurant in 1987. His establishments have an excellent record of compliance with the liquor laws.

Resolution #LC2005-11-027  
Moved by Hall  
Seconded by Ukrainec

RESOLVED, that KRUSE & MUER TROY, LLC be allowed to transfer ownership of 2005 Class C licensed business with entertainment permit, located in escrow at 585 W. Big Beaver, Troy, MI 48084 Oakland County, from D.I. Supply, Inc. (A Missouri Corporation); and transfer location to 911 Wilshire, Troy MI 48084, Oakland County with new dance permit.

Yes: 5  
No: 0  
Absent: Ehlert, Allemon

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3. **WHITE STAR ENTERTAINMENT, INC.**, requests to transfer ownership of 2005 Class C-SDM licensed business with dance permit located at 1090 Rochester, Troy, MI 48084, Oakland County, from MKC INC. [MLCC REQ ID # 313355] *Corradi's*

Present to answer questions from the Committee were Aubrey Tobin (general counsel) and Brian Goleniac (president and general manager).

On May 28, 2005, a partnership of three individuals (Aubrey Tobin, Brian Goleniac, and Michael Goleniac) entered into a management agreement with the Corradi family to take over the business. They are purchasing the building and the business and plan extensive repairs and renovations. The name of the establishment will change, but that decision has not yet been made. The building

has a capacity of 150 patrons and parking for 97 vehicles. They hope to have the property rezoned in order to utilize patio seating. They have changed the menu and are open for lunch and dinner. They offer karaoke on Thursday nights and live music on Friday and Saturday nights.

Two members of the Committee (Hall and Ukrainec) stated that they would be opposed to this restaurant evolving into a nightclub-like establishment. Since two of the three partners have been employed by nightclubs in Pontiac, these Committee members are concerned that this transition may occur.

The ownership states that a nightclub is not their intention and a transition of that nature will not occur.

Resolution #LC2005-11-028

Moved by Peard

Seconded by Bennett

RESOLVED, that WHITE STAR ENTERTAINMENT, INC. be allowed to transfer ownership of 2005 Class C-SDM licensed business with dance permit located at 1090 Rochester, Troy, MI 48084, Oakland County, from MKC INC.

Yes: 3 – Bennett, Godlewski, Peard

No: 2 – Hall, Ukrainec

Absent: Ehlert, Allemon

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The five Committee members present continued the discussion regarding Item No. 3 and the possibility of a nightclub in Troy. Hall and Ukrainec further explained their hesitancy to approve the transfer with speculation of large crowds, disturbances, and sales to minors.

A question was raised as to the possibility of giving a “conditional” or “probationary” approval. Sgt. Stout stated that he would discuss this matter with the City Attorney’s office and provide an answer at the next meeting.

The meeting adjourned at 8:30 p.m.

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James R. Peard

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Patricia A. Gladysz, Office Assistant II