



## CITY COUNCIL ACTION REPORT

RECEIVED

April 4, 2007

TO: Phillip L. Nelson, City Manager *PLN*

FROM: Chief Charles Craft *CC*  
 Captain Gary Mayer *GM*  
 Sergeant Robert Cantlon *RC*

APR 10 2007

CITY OF TROY  
 CITY MANAGER'S OFFICE

SUBJECT: Application for Transfer of Class C License for Wellington Corp.

### Background:

- Wellington Corp., requesting to transfer ownership of 2006 Class C licensed business, from Ichibang Corporation, Inc., located at 1129 E Long Lake, Troy, Mi 48098, Oakland County.
- On March 12, 2007, Leonora Ivezaj of Wellington Corp., answered question for the Liquor Advisory Committee.
- Ms. Ivezaj indicated the business would operate as a bar and grill and will be open for both lunch and dinner.
- Ms. Ivezaj has 10 years experience in a business of this type having worked for her parents at the Wellington Pub in Sterling Heights.
- The Liquor Advisory Committee unanimously approved this request.

### Financial Considerations:

- There are no financial considerations for the city.

### Legal Considerations:

- The request complies with all applicable Troy City Ordinances and Michigan Liquor Control Commission rules.
- The Police Department did not find any disqualifying factors for this request.
- City Council approval is required for the Michigan Liquor Control Commission to approve the transfer.

### Policy Considerations:

- City goal III: "Retain and attract investment while encouraging redevelopment".

### Options:

- The City Council can approve or deny the transfer.



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

## **POLICE INVESTIGATION REQUEST**

[Authorized by MCL 436.1201(4)]

January 25, 2007

TROY POLICE DEPARTMENT  
CHIEF OF POLICE  
500 W. BIG BEAVER ROAD  
TROY, MI 48084-5285

Request ID #389442

Applicant: WELLINGTON CORP., REQUESTING TO TRANSFER OWNERSHIP OF 2006 CLASS C LICENSED BUSINESS, FROM ICHIBANG CORPORATION, INC., LOCATED AT 1129 E LONG LAKE, TROY, MI 48098, OAKLAND COUNTY.

(STOCKHOLDER)

LEONORA IVEZAJ, 13269 25 MILE ROAD, SHELBY TOWNSHIP, MI 48315, PH: 586-419-7002  
OR 586-992-0804

**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, along with fingerprint cards (if requested) and \$30.00 for each card to the Michigan Liquor Control Commission.

If you have any questions, contact the appropriate unit (On Premises, Off Premises or Manufacturers & Wholesalers) at (517) 322-1400.

dh



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

<b>FOR MLCC USE ONLY</b>
Request ID # <u>389442</u>
Business ID # <u>188933</u>

**POLICE INVESTIGATION REPORT**  
 [Authorized by MCL 436.1217 and R 436.1105; MAC]

**Please conduct your investigation as soon as possible, complete all four sections of this report and return the completed report and fingerprint cards to the MLCC**

**LICENSEE/APPLICANT NAME, BUSINESS ADDRESS AND LICENSING REQUEST:**

WELLINGTON CORP., REQUESTING TO TRANSFER OWNERSHIP OF 2006 CLASS C LICENSED BUSINESS, FROM ICHIBANG CORPORATION, INC., LOCATED AT 1129 E LONG LAKE, TROY, MI 48098, OAKLAND COUNTY.

**Section 1. APPLICANT INFORMATION**

APPLICANT #1 (STOCKHOLDER) LEONORA IVEZAJ, 13269 25 MILE ROAD, SHELBY TOWNSHIP, MI 48315, PH: 586-419- 7002 OR 586-992-0804	APPLICANT #2:
DTE FINGERPRINTED:	DATE FINGERPRINTED:
DATE OF BIRTH: Is the applicant a U.S. Citizen: <input type="checkbox"/> Yes <input type="checkbox"/> No*  *Does the applicant have permanent Resident Alien status? <input type="checkbox"/> Yes <input type="checkbox"/> No*  *Does the applicant have a Visa? Enter status:	DATE OF BIRTH: Is the applicant a U.S. Citizen: <input type="checkbox"/> Yes <input type="checkbox"/> No*  *Does the applicant have permanent Resident Alien status? <input type="checkbox"/> Yes <input type="checkbox"/> No*  *Does the applicant have a Visa? Enter status:

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

<b>ARREST RECORD:</b> <input type="checkbox"/> <b>Felony</b> <input type="checkbox"/> <b>Misdemeanor</b> Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)	<b>ARREST RECORD:</b> <input type="checkbox"/> <b>Felony</b> <input type="checkbox"/> <b>Misdemeanor</b> Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)
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**Section 2. INVESTIGATION OF BUSINESS AND ADDRESS TO BE LICENSED**

Does applicant intend to have dancing, entertainment, topless activity, or extended hours permit?  
 No     Yes, complete LC-1636

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



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

KCR  
 1-31-07

<b>FOR MLCC USE ONLY</b>	
Request ID #	389442
Business ID #	188933

**LOCAL APPROVAL NOTICE**

[Authorized by MCL 436.1501]

January 25, 2007

**TO:** TROY CITY COUNCIL  
 CLERK  
 500 W. BIG BEAVER ROAD  
 TROY, MI 48084-5285

**APPLICANT:** WELLINGTON CORP.  
**Home Address and Telephone No. or Contact Address and Telephone No:**

(STOCKHOLDER)  
 LEONORA IVEZAJ, 13269 25 MILE ROAD, SHELBY TOWNSHIP, MI 48315, PH: 586-419-7002  
 OR 586-992-0804

The MLCC cannot consider the approval of an application for a new or transfer of an on-premises license without the approval of the local legislative body pursuant to the provisions of MCL 436.1501 of the Liquor Control Code of 1998. For your information, local legislative body approval is also required for DANCE, ENTERTAINMENT, DANCE-ENTERTAINMENT AND TOPLESS ACTIVITY PERMITS AND FOR OFFICIAL PERMITS FOR EXTENDED HOURS FOR DANCE AND/OR ENTERTAINMENT pursuant to the provisions of MCL 436.1916 of the Liquor Control Code of 1998.

For your convenience a resolution form is enclosed that includes a description of the licensing application requiring consideration of the local legislative body. The clerk should complete the resolution certifying that your decision of approval or disapproval of the application was made at an official meeting. **Please return the completed resolution to the MLCC as soon as possible.**

If you have any questions, please contact the On-Premises Section of the Licensing Division as (517) 366-4634.

dh

**PLEASE COMPLETE ENCLOSED RESOLUTION AND RETURN  
 TO THE LIQUOR CONTROL COMMISSION AT ABOVE ADDRESS**

**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 WELLINGTON CORP., REQUESTING TO TRANSFER OWNERSHIP OF 2006 CLASS C LICENSED BUSINESS, FROM ICHIBANG CORPORATION, INC., LOCATED AT 1129 E LONG LAKE, TROY, MI 48098, OAKLAND COUNTY.**

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)

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

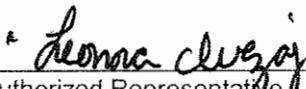
SEAL

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

**AGREEMENT REGARDING LIQUOR LICENSE REQUEST**

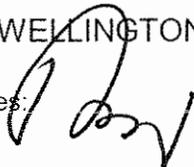
This Agreement, made this \_\_\_\_ day of \_\_\_\_\_, 200\_\_, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48084, hereinafter known as THE CITY, and Wellington Corporation, the Applicant, hereinafter known as APPLICANT.

1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the transfer of ownership of 2006 Class C licensed business, from Ichibang Corporation, Inc, to Wellington Corporation.
2. In consideration of the City of Troy's recommendation for approval of the transfer, the applicant hereby agrees that:
  - a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter No. 68 and Chapter No. 98, and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this agreement.
  - b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 93-1028, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this agreement.
  - c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor licensed business in the City of Troy.
3. Applicant agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this agreement shall occur.
4. Applicant agrees that the recommendation for Approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.
5. Applicant agrees that upon such violation, after full investigation and an opportunity for said applicant to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.

  
\_\_\_\_\_  
Authorized Representative

WELLINGTON CORPORATION

Witnesses:



\_\_\_\_\_

\_\_\_\_\_

Subscribed and sworn to before me  
this 16 day of FEBRUARY, 2007

MICHAEL J. KELLY

Notary Public, [Signature]  
County, 5-14-2012  
My commission expires:

CITY OF TROY

By: \_\_\_\_\_  
Louise Schilling, Mayor

By: \_\_\_\_\_  
Tonni Bartholomew, City Clerk

Witnesses:

\_\_\_\_\_

\_\_\_\_\_

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_

\_\_\_\_\_

Notary Public, Oakland  
County, Michigan  
My commission expires:

A regular meeting of the Liquor Advisory Committee was held on Monday, March 12, 2007 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 7:00 p.m.

**ROLL CALL:**

**PRESENT:** Max K. Ehlert, Chairman  
Henry W. Allemon  
W. Stan Godlewski  
David S. Ogg  
Timothy P. Payne  
Kelsey Brunette, Student Representative  
Clark Yuan, Student Representative  
Chris Forsyth, Assistant City Attorney  
Sergeant Christopher Stout  
Sergeant Robert Cantlon  
Pat Gladysz

**ABSENT:** Patrick C. Hall  
Bohdan L. Ukraineec

**Resolution to Excuse Committee Members Hall & Ukraineec**

Resolution #LC2007-03-007  
Moved by Allemon  
Seconded by Payne

RESOLVED, that the absence of Committee members Hall and Ukraineec at the Liquor Advisory Committee meeting of March 12, 2007 BE EXCUSED.

Yes: 5  
No: 0  
Absent: Hall, Ukraineec

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**Resolution to Approve Minutes of February 12, 2007 Meeting**

Resolution #LC2007-03-008  
Moved by Allemon  
Seconded by Payne

RESOLVED, that the Minutes of the February 12, 2007 meeting of the Liquor Advisory Committee be approved.

Yes: 5  
No: 0  
Absent: Hall, Ukrainec

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**Agenda Items**

1. **ESM Inc.**, requests to transfer location of 2006 SDM from 219 N. Eton Birmingham, MI 48009, Oakland County to 164 E. Maple Troy, MI 48083 Oakland County. [MLCC REQ# 387930] *Maple Market*

Present to answer questions from the Committee was Kimberly Madajczyk, owner of the business for ten years. Over the past few years, her business has declined in the Birmingham location due to the changing economy. She anticipates an increase in her business with this improved location. Her market will sell beer, wine, lottery, grocery items, and fresh deli items. Her staff will remain the same.

Resolution #LC2007-03-009  
Moved by Allemon  
Seconded by Ogg

RESOLVED, that ESM Inc., be allowed to transfer location of 2006 SDM from 219 N. Eton Birmingham, MI 48009, Oakland County to 164 E. Maple Troy, MI 48083 Oakland County.

Yes: 5  
No: 0  
Absent: Hall, Ukrainec

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2. **Logan's Roadhouse, Inc.** (A Tennessee Corporation) requests to transfer all stock in 2006 Class C licensed business, located at 86 W. Fourteen Mile, Oakland Mall, Troy, MI 48083, Oakland County, through transfer of 1000 shares from existing stockholder, CBRL Group, Inc., to new stockholder, LRI Holdings, Inc. (A Delaware Corporation). [MLCC REQ# 386245] *Logan's Roadhouse*

Present to answer questions from the Committee was attorney Patrick Howe. This is a stock transfer with no change in operations. Basically, the public ownership of the restaurant changes to private ownership by various private equity firms.

Resolution #LC2007-03-010

Moved by Allemon

Seconded by Ogg

RESOLVED, that Logan's Roadhouse, Inc. be allowed transfer all stock in 2006 Class C licensed business, located at 86 W. Fourteen Mile, Oakland Mall, Troy, MI 48083, Oakland County, through transfer of 1000 shares from existing stockholder, CBRL Group, Inc., to new stockholder, LRI Holdings, Inc. (A Delaware Corporation).

Yes: 5

No: 0

Absent: Hall, Ukrainec

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3. **Wellington Corp.**, requests to transfer ownership of 2006 Class C licensed business from Ichibang Corporation, Inc., located at 1129 E. Long Lake, Troy, MI 48098, Oakland County. [MLCC REQ# 389442]

Present to answer questions from the Committee were Leonara Ivezaj and Alexander Camaj. Ms. Ivezaj has 11 years experience working for her parents at Wellington Pub in Sterling Heights as a manager/waitress/bartender. This new establishment will be a first business venture for Ms. Ivezaj. Her cousin, Mr. Camaj, will act as manager of the restaurant. Ms. Ivezaj indicated that she is making only minor interior renovations and the restaurant will be open for both lunch and dinner. All employees will be TIPS trained prior to opening.

The inspection results have not been received from the Building Department.

Resolution #LC2007-03-011

Moved by Payne

Seconded by Ogg

RESOLVED, that Wellington Corp. be allowed to transfer ownership of 2006 Class C licensed business from Ichibang Corporation, Inc., located at 1129 E. Long Lake, Troy, MI 48098, Oakland County.

Yes: 5

No: 0

Absent: Hall, Ukrainec

Mr. Forsyth stated that there were no updates from the Legal Department.

Sergeant Stout stated that this would be his last meeting. Sergeant Cantlon will represent the Police Department at all future Liquor Advisory Committee meetings.

The meeting adjourned at 7:35 p.m.

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Max K. Ehlert, Chairman

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Patricia A. Gladysz, Secretary II