

A regular meeting of the Liquor Advisory Committee was held on Monday, March 10, 2008 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
Patrick C. Hall
Timothy P. Payne
Clark Yuan, Student Representative
Susan Lancaster, Assistant City Attorney
Sergeant Robert Cantlon
Pat Gladysz

ABSENT: David S. Ogg
Bohdan L. Ukrainec

Resolution to Excuse Committee Members Ogg and Ukrainec

Resolution #LC2008-03-007

Moved by Allemon

Seconded by Payne

RESOLVED, that the absence of Committee members Ogg and Ukrainec at the Liquor Advisory Committee meeting of March 10, 2008 BE EXCUSED.

Yes: 5
No: 0
Absent: Ogg, Ukrainec

Resolution to Approve Minutes of February 11, 2008 Meeting

Resolution #LC2008-03-008

Moved by Allemon

Seconded by Payne

RESOLVED, that the Minutes of the February 11, 2008 meeting of the Liquor Advisory Committee be approved.

Yes: 5
No: 0
Absent: Ogg, Ukrainec

Agenda Items

1. **AMC Troy, Inc.** requesting to transfer ownership of escrowed 2007 Class C licensed business with Official Permit (Food), from Kingsway LLC; transfer location, governmental unit under MCL 436.1531(1), from 43155 Main, Suite 208, Novi, Michigan 48375, to 1873 East Big Beaver Road, Troy, Michigan 48083, Oakland County; requesting a new outdoor service (1 area), new entertainment permit, new SDM license, to be held in conjunction. {MLCC Req #434767}

Present to answer questions from the Committee was Michael Ansley, franchisee of Buffalo Wild Wings of the metropolitan Detroit and Florida markets.

Buffalo Wild Wings opened its first location in Columbus, Ohio in 1982. Mr. Ansley has been a franchisee for 12 years. He currently owns several restaurants, including Sterling Heights, Warren, Ferndale, Novi, Fenton, Grand Blanc, and Petoskey. Management for the Troy location will be transferred from his other restaurants. Training will be done by both corporate and internal teams. They require that all servers be 21 years of age and attend the “Serve Safe” alcohol training. In his 12 years of business, Mr. Ansley has received only one liquor violation. The parking was questioned by a committee member and Mr. Ansley replied that the landlord has obtained a parking variance for the site.

Assistant City Attorney Lancaster informed the Committee of a 1993 City Council Resolution stating that there cannot be two facilities with Class C licenses and entertainment permits within 3,000 feet of each other. The City Attorney’s office is of the opinion that it is timely for City Council to review this Resolution in light of the high density trend in Troy. Also, the City now has an adult business use ordinance which we did not have when this Resolution went into effect.

Sergeant Cantlon reported that his investigation found only one liquor violation and that occurred in 2002 in Novi.

Resolution #LC2008-03-009

Moved by Hall

Seconded by Payne

RESOLVED, that AMC Troy, Inc. be allowed to transfer ownership of escrowed 2007 Class C licensed business with Official Permit (Food), from Kingsway LLC; transfer location, governmental unit under MCL 436.1531(1), from 43155 Main, Suite 208, Novi, Michigan 48375, to 1873 East Big Beaver Road, Troy, Michigan 48083, Oakland County; be granted a new outdoor service (1 area), new entertainment permit, new SDM license, to be held in conjunction.

Yes: 5
No: 0
Absent: Ogg, Ukrainec

2. **Somerset Collection Limited Partnership** requests to transfer ownership of 2007 Class C licensed business located in escrow at 2801 West Big Beaver Road, Somerset Collection, Suite J-230, Troy, Michigan 48084, Oakland County, from Sebastian’s Ltd.; with license to be held in escrow. {MLCC Req #416257}

Present to answer questions from the Committee was Patrick Howe of Carlin, Edwards, Brown & Howe.

This request is for a license transfer to the owners of the Somerset Collection. They have no intention of activating the license. Several years ago, Sebastian’s Restaurant closed and there is a lease provision which states that the liquor license would revert back to the landlord if the tenant vacated. The license has been surrendered to the landlord, and the landlord would like to hold on to the license for “record purposes” to hold it in escrow until they find a tenant within the mall. The MLCC regulations state that the license can be held in escrow for five years.

Assistant City Attorney Lancaster suggested that the Committee make their recommendation to City Council with the stipulation that when the license comes out of escrow, the City of Troy be entitled to its standard investigation.

Resolution #LC2008-03-010
Moved by Allemon
Seconded by Hall

RESOLVED, that Somerset Collection Limited Partnership be allowed to transfer ownership of 2007 Class C licensed business located in escrow at 2801 West Big Beaver Road, Somerset Collection, Suite J-230, Troy, Michigan 48084, Oakland County, from Sebastian’s Ltd.; with license to be held in escrow, with the stipulation that when the license comes out of escrow, the City of Troy be entitled to its standard investigation.

Yes: 5
No: 0
Absent: Ogg, Ukrainec

The meeting adjourned at 7:24 p.m.

Max K. Ehlert, Chairman

Patricia A. Gladysz, Secretary II