LIQUOR ADVISORY COMMITTEE MINUTES – FINAL OCTOBER 4, 2010

A regular meeting of the Liquor Advisory Committee was held on Monday, October 4, 2010 in the Council Board Room of Troy City Hall, 500 West Big Beaver Road. Committee member Patrick C. Hall called the meeting to order at 7:05 p.m.

Roll Call

PRESENT: W. Stan Godlewski
Patrick C. Hall
David S. Ogg
Bohdan L. Ukrainec

ABSENT: Max K. Ehlert, Chairman
Andrew Kaltsounis
Timothy P. Payne

ALSO PRESENT: Lieutenant Robert Redmond
Officer James Feld
Susan Lancaster, Assistant City Attorney
Lauren Harden, student representative
Dane Lepola, student representative
Pat Gladysz

Resolution to Excuse Committee Members Ehlert, Kaltsounis, and Payne

Resolution #LC2010-10-026
Moved by Ogg
Seconded by Godlewski

RESOLVED, That the absence of Committee members Ehlert, Kaltsounis, and Payne at the Liquor Advisory Committee meeting of October 4, 2010 be **EXCUSED**.

Yes: 4
No: 0
Absent: Ehlert, Kaltsounis, Payne

Resolution to Approve Minutes of September 13, 2010 Meeting

Resolution #LC2010-10-027
Moved by Ukrainec
Seconded by Ogg

RESOLVED, That the Minutes of the September 13, 2010 meeting of the Liquor Advisory Committee be **APPROVED**.

Yes: 4
No: 0
Absent: Ehlert, Kaltsounis, Payne

Agenda Items

1. **Macy's Retail Holdings, Inc.** (A New York Corporation) requests to Transfer All Stock Interest In 2005 Licensing Year In 2010 Class C Licensed Business located at 500 West Fourteen Mile Road, Troy, MI 48083 and Transfer All Stock Interest in 2005 Licensing Year In 2010 Resort Class C Licensed Business located at 2752 West Big Beaver Road, Troy, MI 48084 to New Stockholder, Milan Acquisition, LLC (A Delaware Limited Liability Company) due to Corporate Merger and Restructuring. {MLCC Req. 322719}

Present to answer questions from the Committee was Sandra Cotter, attorney for Macy's, Inc.

Ms. Cotter explained to the Liquor Advisory Committee that this Agenda Item is necessary due to a merger between May Department Stores and Federated Department Stores and name change through corporate amendment. This information was presented to the MLCC in 2005, but was not acted upon until the recent sale of a Flint Township restaurant.

This is merely a corporate transaction that does not affect the operating company. There are no changes in operations, management, or employees. The employee liquor service training will continue to be extensive.

Members of the Committee questioned the language presented on the Agenda. Documentation from the MLCC was requested in order to verify the language.

(At 7:25 p.m., the meeting recessed to allow Officer Feld to make copies of the MLCC paperwork regarding this Agenda Item. The meeting reconvened at 7:30 p.m. and all documents were distributed to the Committee.)

Committee member Hall read the resolutions directly from the MLCC documents.

1. **Macy's Retail Holdings, Inc.** (A New York Corporation) requests to Transfer All Stock Interest In 2005 Licensing Year In 2010 resort Class C Licensed Business issued under MCL 436.1531(2), located at 2752 Big Beaver, Troy, MI 48084, Oakland County, wherein sole stockholder, the May Department Stores Company (A Delaware Corporation) transfers 249,084,436 shares of

stock to new stockholder, Milan Acquisition LLC (A Delaware Limited Liability Company) formerly known as Milan Acquisition Corp. (A Delaware Corporation) through merger, on August 30, 2005; and by dropping Milan Acquisition Corp. (A Delaware Corporation) as stockholder through transfer of 249,084,436 shares of stock to new stockholder, Macy's Inc. (A Delaware Corporation) formerly known as Federated Department Stores, Inc. (A Delaware Corporation), on August 30, 2005 (Step 1). {MLCC Req. 322719}

and

2. **Macy's Retail Holdings, Inc.** (A New York Corporation) requests to Transfer All Stock Interest In 2005 Licensing Year In 2010 Class C Licensed Business, located at 500 W Fourteen Mile, Troy, MI 48084, Oakland County, wherein sole stockholder, the May Department Stores Company (A Delaware Corporation) transfers 249,084,436 shares of stock to new stockholder, Milan Acquisition LLC (A Delaware Limited Liability Company) formerly known as Milan Acquisition Corp. (A Delaware Corporation) through merger, on August 30, 2005; and by dropping Milan Acquisition Corp. (A Delaware Corporation) as stockholder through transfer of 249,084,436 shares of stock to new stockholder, Macy's Inc. (A Delaware Corporation) formerly known as Federated Department Stores, Inc. (A Delaware Corporation), on August 30, 2005 (Step 1). {MLCC Req. 322719}

After the Committee reviewed the MLCC documentation, it was determined that the Agenda language was incorrect.

Officer Feld informed the Committee that the violation history revealed the following:
Somerset Collection location: 1997, 2007
Oakland Mall location: 1992, 1997, 1999, 2007
Both locations have successfully passed twelve compliance tests since 2007

Resolution #LC2010-10-028
Moved by Ukrainec
Seconded by Godlewski

RESOLVED, That the Liquor Advisory Committee recommends that the request of Macy's Retail Holdings, Inc. (A New York Corporation) to Transfer All Stock Interest In 2005 Licensing Year In 2010 resort Class C Licensed Business issued under MCL 436.1531(2), located at 2752 Big Beaver, Troy, MI 48084, Oakland County, wherein sole stockholder, the May Department Stores Company (A Delaware Corporation) transfers 249,084,436 shares of stock to new stockholder, Milan Acquisition LLC (A Delaware Limited Liability Company) formerly known as Milan Acquisition Corp. (A Delaware Corporation) through merger, on August 30, 2005; and by dropping Milan Acquisition Corp. (A Delaware Corporation) as stockholder through transfer of 249,084,436 shares of stock to new stockholder, Macy's Inc. (A Delaware

Corporation) formerly known as Federated Department Stores, Inc. (A Delaware Corporation), on August 30, 2005 be **APPROVED**.

Yes: 4
No: 0
Absent: Ehlert, Kaltsounis, Payne

Resolution #LC2010-10-029
Moved by Ukrainec
Seconded by Godlewski

RESOLVED, That the Liquor Advisory Committee recommends that the request of Macy's Retail Holdings, Inc. (A New York Corporation) to Transfer All Stock Interest In 2005 Licensing Year In 2010 Class C Licensed Business, located at 500 W Fourteen Mile, Troy, MI 48084, Oakland County, wherein sole stockholder, the May Department Stores Company (A Delaware Corporation) transfers 249,084,436 shares of stock to new stockholder, Milan Acquisition LLC (A Delaware Limited Liability Company) formerly known as Milan Acquisition Corp. (A Delaware Corporation) through merger, on August 30, 2005; and by dropping Milan Acquisition Corp. (A Delaware Corporation) as stockholder through transfer of 249,084,436 shares of stock to new stockholder, Macy's Inc. (A Delaware Corporation) formerly known as Federated Department Stores, Inc. (A Delaware Corporation), on August 30, 2005 (Step 1) be **APPROVED**.

Yes: 4
No: 0
Absent: Ehlert, Kaltsounis, Payne

Officer Feld advised the Committee on the following:

Hospitality Ventures Management, LLC (Embassy Suites)
MLCC Hearing was held 09/20/10 at 11:00 a.m. at the Sterling Heights Civic Center, 40555 Utica Road, Sterling Heights for the disturbance on 12/31/09. The three charges were: (1) allowed fights or brawls on licensed premises; (2) allowed intoxicated persons (John Doe 1 and Jane Doe 1) to loiter; and (3) allowed intoxicated persons (John Doe 2 and John Doe 3) to loiter. They pled guilty to charges (2) and (3), and charge (1) was dismissed.

Capital Grille
This business is requesting an outdoor service area. They plan to submit their paperwork for approval over the winter and, pending final inspection from the Building Department, can utilize their outdoor area as soon as completed. Approximately 70-80 outdoor seats are planned next to the valet parking area.

NH Motel Enterprises (MET Hotel)
This hotel was formerly the Northfield Hilton and has changed names a few times. They never applied for their liquor license. It appears as if they closed their restaurant/lounge. However, information was received that they occasionally would open the bar and serve customers. The MLCC was contacted and an investigation was performed. Officer Feld received notification from MLCC that the hotel has been charged with violations. The investigation is ongoing.

The meeting adjourned at 7:40 p.m.

Patrick C. Hall, Committee Member

Patricia A. Gladysz, Secretary II