



HEARINGS CONDUCTED BY THE
MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, October 2, 2012
Lansing District Office
7150 Harris Drive
Lansing MI 48909

Present: Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

Absent: Andrew J. Deloney, Chairman

Commissioner Quimby called the hearings to order at 10:11 a.m., noting a quorum was present.

1. Moved by Commissioner Quimby, supported by Commissioner Olshove, that the minutes of the Lansing Appeal hearing of September 25, 2012, be approved as written and presented, motion carried by unanimous vote.
2. Bill's Beer Garden, L.L.C., 218 S Ashley, Ann Arbor, Washtenaw County
Request ID# 653631

The licensing hearing was conducted for Bill's Beer Garden, L.L.C., Request ID# 653631, which was tabled from the Lansing Appeal Hearing held on August 21, 2012. Dawn Hetzel appeared on behalf of the Attorney General's Office, Attorney Terrance Conlin, and members William Zolkowski and Mark Hodesh appeared on behalf of the applicant. Ms. Hetzel, Mr. Conlin, Mr. Zolkowski and Mr. Hodesh offered comments regarding this case. After discussion on the record, Commissioner Quimby made a motion to reverse the previous Commission Order of denial dated July 18, 2012, and to approve the request as set forth in the Licensing Appeal Order, to transfer ownership of the escrowed 2012 Class C license from Pizza Hut of America, Inc., and to transfer location of said license. Commissioner Olshove supported, and the motion was carried by unanimous vote.

3. Restaurant 01-31-12, L.L.C., 5710 Harvey, Muskegon, Fruitport Township, Muskegon County Request ID# 655259

The licensing hearing was conducted for Restaurant 01-31-12, L.L.C., Request ID# 655259. Dawn Hetzel appeared on behalf of the Attorney General's Office, Attorney James Stariha and members Cheng Dong Lin and Xue Hua Shi, appeared on behalf of the applicant. Ms. Hetzel, Mr. Stariha and Mr. Lin offered comments

regarding this case. After discussion on the record, Commissioner Quimby advised the matter would be tabled for a hearing on a future date, so the documents submitted could be reviewed.

5. Maria's Pizza & Italian Restaurant LLC, 586 145th, Caledonia, Leighton Township, Allegan County Request ID# 658255

The Church hearing was conducted for Maria's Pizza & Italian Restaurant LLC, Request ID# 658255. Dawn Hetzel appeared on behalf of the Attorney Generals Office and member Gaetano Piccione, Jr. appeared on behalf of the applicant. Also present was member's spouse, Tina Piccione. The objecting church, Green Lake Calvary Church, was represented by Pastor Dan Farnol and Clark Galloway, member. Ms. Hetzel, Mr. Piccione, Mrs. Piccione, Mr. Galloway and Pastor Farnol offered comments regarding this case. After discussion on the record, Commissioner Quimby advised the findings of the Commission are as follows: that the Green Lake Calvary Church filed a proper objection to the granting of the new Tavern license to be held in conjunction with a new Specially Designated Merchant License, and that the applicant had the burden of proceeding, and that the applicant had to show by competent, material and substantial evidence that issuance of the license would not adversely affect the normal operation of the church. Commissioner Quimby made a motion that the applicant has demonstrated that a waiver of MCL 436.1503 would NOT adversely impact the normal operation of the church, and the licensing process would continue. Supported by Commissioner Olshove, motion carried by unanimous vote.

With no further business, moved by Commissioner Olshove, supported by Commissioner Quimby, that the Appeal Hearings be adjourned at 11:13 a.m., motion carried by unanimous vote.

Teri L. Quimby
Commissioner

Anita Fawcett
Executive Services Division