



MEMORANDUM

TO: Erika McConnell
AMCO Director

FROM: Joe Hamilton
AMCO Investigator

DATE: May 31, 2017

RE: Gold Miners Lodge, License
#4380 & #4526

Since my last memorandum dated 2-1-17, Gold Miners Lodge licensees have provided further documentation in the form of Z tapes, Three Bear receipts and Costco receipts.

The Costco and Three Bears receipts depict sales of food to the licensee. They are consistent with someone who maybe operating a small kitchen. These sales coincide with the reported hours of operation.

The Z tapes provided coincide with the reported hours of operations.

The only thing the license has not provided to AMCO, is a list of all alcoholic beverages that have been sold, 3 AAC 304.170(j)(6). In a morning conversation on 5-31-17, the licensee did state he couldn't recall selling any alcoholic beverages during the times they were open.

In conclusion, with the additional information the licensee provided, I'm satisfied they have met the burden of showing they operated under minimum requirements.



Approved	Denied
Amended	3.9.17
Public Hearing	3.9.17
Date Action Taken	3.9.17
Attest: <i>Samy Outek</i> City Clerk	

AMENDED: 3.9.17 BOLD & UNDERLINED

**CITY OF HOUSTON
ACTION MEMORANDUM No. 17-05**

Title: City Council Statement of protest to the renewal of a restaurant/eating place liquor license #4380 held by Gold Miners Lodge Restaurant and Motel.

Agenda of: 3/9/2017

Originator: Mayor Thompson

Approved for presentation by:

- City Clerk
- Public Works Director
- Treasurer
- Fire Chief
- Police Chief/Mayor

Samy Outek

Virgie Thompson

Reviewed by Mayor:

Attachment(s):

- Application Notice
- Liquor License 4380 Application
- Staff referrals under HMC 5.08.020

Summary statement:

Gold Miners Lodge Restaurant and Motel has applied for renewal of liquor license #4380. State law requires local governing bodies to review requests pertaining to liquor licenses within their municipalities. The City may waive the right to protest or may file a protest to a request.

Before taking action on a liquor license application, the Mayor shall provide for a public hearing before the City Council. Within 15 business days after the referrals under HMC 5.08.020, the Mayor shall schedule each liquor license application for consideration by the City Council at its next City Council meeting and send written notice to the applicant.

A review of the referrals relating to liquor license application has been completed. Staff did not find any adverse findings in accordance with HMC 5.08.20.

Based on other factors as allowed under Houston Municipal Code (HMC) 5.08.030 (C) the Mayor recommends the following action:

	WAIVE THE RIGHT TO PROTEST
X	PROTEST the issuance of the license for the following factors(s). (HMC 5.08.030).
	➤ Staff referrals.
	➤ Concentration of other licenses of the same and other types in the area.
X	➤ Other factors.
X	HMC 5.08.030 (C) (3) Any other factors the City Council determines are relevant to a particular application, including a reasonable expectation that the applicant will exercise the license for the duration of the term of the license.
X	AS 04.11.330 (3) the applicant has not operated the licensed premises for at least 30 eight-hour days during the preceding calendar years.
	CONDITIONS recommends the issuance of the license with the following conditions(s). (HMC 5.08.030).
	➤
	SUSPENSION OR REVOCATION request a suspension or revocation of the license pursuant to AS 04.11.370;

If the City Council protests an application or recommends conditions on which the application shall be granted, the City Council shall state on record the reasons for its decisions, and the Mayor shall notify the Board and the applicant in writing of the decision.

Reasons for protest:

Due to the amount of total sales reported and sales tax remitted in 2014 on March 18th, 2015 The City Council requested from the applicant;

- What days they were open in 2014.
- How often they plan on being open in 2015 and 2016.

On April 7, 2015, the applicant provided a plan to the City Council.

The City of Houston requests the AMCO Board investigate compliance under AS 04.11.330 that the business was opened 30 days 8 hours a day.

In 2015 and 2016 the total amount of total sales reported and sales tax remitted does not reflect the plan that was provided to the City, or that the applicant exercised the license in accordance with HMC 5.08.030 (C) (3) and AS 04.11.330 (3).

If the City Council finds that the basis for its decision to protest an application, or to recommend conditions on which the application should be granted, no longer exists, the City Council may rescind its decision and direct the Mayor to notify the Board and the applicant of the decision.

Administration recommendation: Take action on Action Memorandum 17-05.

Office of the City Clerk Use Only		
Applicant noticed of Public Hearing: <input checked="" type="checkbox"/>	Applicant noticed of decision: <input checked="" type="checkbox"/>	AMCO noticed of decision: <input checked="" type="checkbox"/>
MSB Noticed (Relocation only) <input checked="" type="checkbox"/>	Houston Planning Commission noticed of decision <input checked="" type="checkbox"/>	



Tuesday, February 21, 2017

TO: City Clerk
Public Works Director
Police Chief/Mayor

Application Type: Renewal

License Type: Restaurant/Eating Place Liquor License

License Number: 4380

Licensee/Applicant Name: Gold Miners Lodge Restaurant and Motel, LLC

Business Name: Gold Miners Lodge Restaurant and Motel

Physical Location of Business: 20333 W. Parks Hwy.

The above referenced license was received by the City Clerk on: 1/31/2017

Staff must determine whether the applicant complies with the provisions of HMC 5.08.020 Liquor Regulations.

The application was reviewed in accordance with HMC 5.08.020 Liquor Regulations; and the following findings are reported:

Department Name	Recommend Approval	Recommend Denial (Please provide written statement under separate cover)	Authorized Signature
Treasurer	<input type="checkbox"/>	<input type="checkbox"/>	
Clerk's Office	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Sonya Oulka</i>
Public Works	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Tom Casella</i>
Police Chief/Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Vigie Thompson</i>

City of Houston, Alaska
Mayor's Office



March 3, 2017

Gold Miners Lodge Restaurant and Motel, LLC.
SOA License Number- #4380
PO Box 940353
Houston, Alaska 99694

Re: Liquor License Review

Dear Business Owner:

Your liquor license application has come up for review by the City of Houston. Per HMC 5.08.030 the City Council will be holding a public hearing and considering the application at the next City Council meeting, to be held on **the 9th day of March at 7:00 pm** at Houston City Hall, 13878 W Armstrong Road, Houston AK 99694.

You may appear before the Council at this publicly noticed hearing to defend your application pursuant to HMC 5.08.030 (B) and 3 AAC 304.145 (D).

Mayor Thompson is recommending protest of the renewal of license under 5.08.030 (C) (3) and AS 04.11.330 (3). (See attached Action Memorandum).

Below is a summary of any unresolved findings for your application under HMC 5.08.020 (staff referrals)

- There are no unresolved findings by Staff.

If you have any questions please contact the Clerk's Office at 907-892-6869.

Sincerely,

A handwritten signature in blue ink that reads "Virgie Thompson".

Virgie Thompson
Mayor
vthompson@houston-ak.gov

CC: Clerks Office
Public Works Department
Enclosure: AM 17-05

Houston Municipal Code (HMC) 5.08
3 AAC 304.145 (D)
AS 04.11.330

Sonya Dukes

From: Sonya Dukes
Sent: Tuesday, April 07, 2015 4:34 PM
To: City Council
Subject: FW: Request for information

From: Sandra Gauthier [mailto:goldminerslodgealaska@gmail.com]
Sent: Tuesday, April 07, 2015 4:16 PM
To: Sonya Dukes
Subject: Re: Request for information

Gold Miners Lodge was open for business the 30 days in a row in 2014 as required by the ABC Board between Oct. 18th & Nov. 20th.

The reason we had so little taxes turned in was in proportion to the very few customers we had during the 30 days open for business and maintenance.

For 2015 & 2016 we are praying to have our best years ever. We intend to open at least for the summers and if we are able to lease it out with option to buy perhaps we can open yearly.

Brian and I live on the property full time and are always available when we are not working at our places of employment in the valley.

We are up to date on our property taxes and all the licenses required by the State, Borough and City of Houston. We also had the 5 year well survey performed and approved and is paid in full for the state requirements.

Once our remodeling is completed we plan to open in May. We plan to hire two new employees if we do not lease it out.

Please call if you have questions anytime, 892-2468.

Thank you!

Sandra Gauthier
Managing Member

On Mar 18, 2015 11:16 AM, "Sonya Dukes" <SDukes@houston-ak.gov> wrote:

Good Morning Brian and Sandra,

I had a council member request the following information.

What days were they open in 2014? Please list. The amount of total sales reported and sales tax remitted was very minimal, and these amounts were for all sales, including meals, lodging and alcohol.

How often do they plan on being open in 2015 and 2016?

Thank you!

Sonya Dukes, CMC

City Clerk

City of Houston, Alaska

PO Box 940027, Houston, AK 99694

OFFICE: (907) 892-6869 FAX: (907) 892-7677

<http://www.houston-ak.gov/>



Approved	Denied
Amended	<u>3.9.17</u>
Public Hearing	<u>3.9.17</u>
Date Action Taken	<u>3.9.17</u>
Attest: <i>Sonja Oates, City Clerk</i>	

AMENDED: 3.9.17 BOLD & UNDERLINED

**CITY OF HOUSTON
ACTION MEMORANDUM No. 17-06**

Title: City Council Statement of protest to the renewal of a Beverage Dispensary-Tourism liquor license #4526 held by Gold Miners Lodge Restaurant and Motel.

Agenda of: 3/9/2017

Originator: Mayor Thompson

Approved for presentation by:

- City Clerk
- Public Works Director
- Treasurer
- Fire Chief
- Police Chief/Mayor

Sonja Oates

Virgie Thompson

Reviewed by Mayor:

Attachment(s):

- Application Notice
- Liquor License 4526 Application
- Staff referrals under HMC 5.08.020

Summary statement:

Gold Miners Lodge Restaurant and Motel has applied for renewal of liquor license #4526. State law requires local governing bodies to review requests pertaining to liquor licenses within their municipalities. The City may waive the right to protest or may file a protest to a request.

Before taking action on a liquor license application, the Mayor shall provide for a public hearing before the City Council. Within 15 business days after the referrals under HMC 5.08.020, the Mayor shall schedule each liquor license application for consideration by the City Council at its next City Council meeting and send written notice to the applicant.

A review of the referrals relating to liquor license application has been completed. Staff did not find any adverse findings in accordance with HMC 5.08.

Based on other factors as allowed under Houston Municipal Code (HMC) 5.08.030 (C) the Mayor recommends the following action:

WAIVE THE RIGHT TO PROTEST	
X	PROTEST the issuance of the license for the following factors(s). (HMC 5.08.030).
	➤ Staff referrals.
	➤ Concentration of other licenses of the same and other types in the area.
X	➤ Other factors.
X	HMC 5.08.030 (C) (3) Any other factors the City Council determines are relevant to a particular application, including a reasonable expectation that the applicant will exercise the license for the duration of the term of the license.
X	AS 04.11.330 (3) the applicant has not operated the licensed premises for at least 30 eight-hour days during the preceding calendar years.
	CONDITIONS recommends the issuance of the license with the following conditions(s). (HMC 5.08.030).
	➤
	SUSPENSION OR REVOCATION request a suspension or revocation of the license pursuant to AS 04.11.370;

If the City Council protests an application or recommends conditions on which the application shall be granted, the City Council shall state on record the reasons for its decisions, and the Mayor shall notify the Board and the applicant in writing of the decision.

Reasons for protest:

Due to the amount of total sales reported and sales tax remitted in 2014 on March 18th, 2015 The City Council requested from the applicant;

- What days they were open in 2014.
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On April 7, 2015, the applicant provided a plan to the City Council.

The City of Houston requests the AMCO Board investigate compliance under AS 04.11.330 that the business was opened 30 days 8 hours a day.

In 2015 and 2016 the total amount of total sales reported and sales tax remitted does not reflect the plan that was provided to the City, or that the applicant exercised the license in accordance with HMC 5.08.030 (C) (3) and AS 04.11.330 (3).

If the City Council finds that the basis for its decision to protest an application, or to recommend conditions on which the application should be granted, no longer exists, the City Council may rescind its decision and direct the Mayor to notify the Board and the applicant of the decision.

Administration recommendation: Take action on Action Memorandum 17-06.

Office of the City Clerk Use Only			
Applicant noticed of Public Hearing: <input checked="" type="checkbox"/>	Applicant noticed of decision: <input checked="" type="checkbox"/>	AMCO noticed of decision: <input checked="" type="checkbox"/>	
MSB Noticed (Relocation only) <input checked="" type="checkbox"/>	Houston Planning Commission noticed of decision <input checked="" type="checkbox"/>		



Tuesday, February 21, 2017

TO: City Clerk
Public Works Director
Police Chief/Mayor

Application Type: Renewal

License Type: Beverage Dispensary Liquor License

License Number: 4526

Licensee/Applicant Name: Gold Miners Lodge Restaurant and Motel, LLC

Business Name: Gold Miners Lodge and Motel

Physical Location of Business: Mile 60.5 Parks Highway

The above referenced license was received by the City Clerk on: 1/31/2017

Staff must determine whether the applicant complies with the provisions of HMC 5.08.020 Liquor Regulations .

The application was reviewed in accordance with HMC 5.08.020 Liquor Regulations ; and the following findings are reported:

Department Name	Recommend Approval	Recommend Denial (Please provide written statement under separate cover)	Authorized Signature
Treasurer	<input type="checkbox"/>	<input type="checkbox"/>	
Clerk's Office	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Sonya Oakes</i>
Public Works	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Tom Casel</i>
Police Chief/Mayor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Uigie Thompson</i>

City of Houston, Alaska
Mayor's Office



March 3, 2017

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SOA License Number- #4526
PO Box 940353
Houston, Alaska 99694

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You may appear before the Council at this publicly noticed hearing to defend your application pursuant to HMC 5.08.030 (B) and 3 AAC 304.145 (D).

Mayor Thompson is recommending protest of the renewal of license under 5.08.030 (C) (3) and AS 04.11.330 (3). (See attached Action Memorandum).

Below is a summary of any unresolved findings for your application under HMC 5.08.020 (staff referrals)

- There are no unresolved findings by Staff.

If you have any questions please contact the Clerk's Office at 907-892-6869.

Sincerely,

Virgie Thompson
Mayor
vthompson@houston-ak.gov

CC: Clerks Office
Public Works Department
Enclosure: AM 17-06

Houston Municipal Code (HMC) 5.08
3 AAC 304.145 (D)
AS 04.11.330

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Sonya Dukes, CMC

City Clerk

City of Houston, Alaska

PO Box 940027, Houston, AK 99694

OFFICE: (907) 892-6869 **FAX:** (907) 892-7677

<http://www.houston-ak.gov/>