



AMCO

DEC 07 2023

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
https://www.commerce.alaska.gov/web/amco
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-17: 2024/2025 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than January 2, 2024 per AS 04.11.270, 3 AAC 305.050, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
Any complete application for renewal or any fees for renewal that have not been postmarked by February 28, 2024 will be expired per AS 04.11.540, 3 AAC 305.050(e).
All fields of this application must be deemed complete by AMCO staff and must be accompanied by the mandatory fees and all documents required, or the application will be returned without being processed, per AS 04.11.270.
Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Section 1 - Establishment Contact Information

Doing Business As: Fili's Pizza License #: 5445

If your mailing address has changed, write the NEW address below:

Mailing Address:
City: State: ZIP:

Section 2 - Licensee Contact Information

Contact Licensee: The individual listed below must be part of the ownership structure of the licensee listed in Section 1. This person will be the designated point of contact regarding this license unless the Optional contact is completed.

Contact Licensee: Sloane Unwin Contact Phone: 907-887-9871
Contact Email: sunwin@innatwhittier.com, canderson@innatwhitter.com, toddallenperez@gmail.com

Optional: If you wish for AMCO staff to communicate with anyone other than the Contact Licensee (such as legal counsel) about your license, list their information below:

Name of Contact: Attorney Jana Weltzin and Staff Contact Phone: 907-231-3750
Contact Email: jana@jdw counsel.com, brenda@jdw counsel.com, randi@jdw counsel.com

Section 3 - for Package Stores ONLY: Written Order Information

Do you intend to sell alcoholic beverages and ship them to another location in response to written solicitation in calendar years 2024 and/or 2025? If so, you will need to apply for a Shipping Endorsement here: https://accis.elicen365.com/# YES NO [ ] [x]

Section 4 - Ownership Structure Certification

Did the ownership structure of the licensed business change in 2022/2023? YES NO [ ] [x]

If Yes, and you have NOT notified AMCO, list the updated information on form AB-39: Change of Officers and submit with your renewal application. If No, certify the statement below by initialing the box to the right of the statement:

I certify that the ownership structure of the business who owns this alcohol license did not change in any way during the calendar years 2022 or 2023.

Handwritten initials SHU in a box

Handwritten note: Paid CC in Accis



# Form AB-17: 2024/2025 License Renewal Application

## Section 5 – License Operation

Unless you operated more than 240 hours in 2022 or 2023, check ONE BOX for EACH CALENDAR YEAR that best describes how this alcoholic beverage license was operated as set forth in AS 04.11.330:

- |                                                                                                                                                                                                                                                                                                                                                                 | 2022                     | 2023                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|
| 1. The license was <b>only operated during a specified time</b> each year. (Not to exceed 6 months per year)<br><i>If your operation dates have changed, list them below:</i><br>_____ to _____                                                                                                                                                                 | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. The license was only operated to meet the minimum requirement of 240 total hours each calendar year.<br><i>A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.</i>                                                                                                                                | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. <i>A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated.</i> | <input type="checkbox"/> | <input type="checkbox"/> |

## Section 6 - Violations and Convictions

- |                                                                                                                                                                                                                                                                                                                                                                                                                | YES                                 | NO                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|
| Have any Notices of Violation been issued for this license in 2022 or 2023?<br>—                                                                                                                                                                                                                                                                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Has any person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2022 or 2023?<br><i>If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2). If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.</i> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

## Section 7 – Certifications

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 305, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the business license and have provided all required documents for any new or changes of officers.
- I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 305.700.
- I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

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Paid CC in Accis

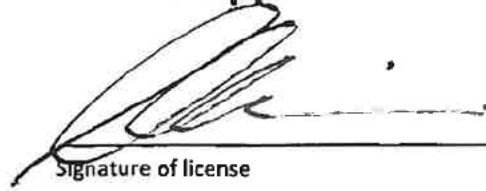


Alaska Alcoholic Beverage Control Board

# Form AB-17: 2024/2025 License Renewal Application

Sloane Unwin

Printed name of licensee

  
Signature of licensee

**Restaurant and Eating Place** applications must include a completed AB-33: Restaurant Receipts Affidavit

**Recreational Site** applications must include a completed AB-36: Recreational Site Statement

**Tourism** applications must include a completed AB-37: Tourism Statement

**Wholesale** applications must include a completed AB-25: Supplier Certification

**Common Carrier** applications must include a current safety inspection certificate

All renewal and supplemental forms are available online:

<https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx>

**FOR OFFICE USE ONLY**

License Fee:	\$ 1250.00	Application Fee:	\$ 300.00	Misc. Fee:	\$
Total Fees Due:					\$ 1550.00

*paid CC in  
ACCIS*

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Alaska Alcoholic Beverage Control Board

**Form AB-33: 2024/2025 Restaurant Receipts Affidavit**

**What is this form?**

A restaurant or eating place licensee must file a complete copy of this form along with its 2024/2025 license renewal application, in order to provide evidence to the Alcoholic Beverage Control Board that this licensed restaurant's receipts from the sale of food upon the licensed premises constitute no less than 50% of the gross receipts (food + alcohol sales) of the licensed premises for each calendar year in 2022 and 2023, as currently required by AS 04.11.100(e) which will be repealed once AS 04.09.210(e) is in effect January 1, 2024. This form is confidential.

This form must be completed and submitted with Form AB-17 to AMCO's main office before a license renewal application may be reviewed.

**Section 1 – Establishment Information**

This form is being submitted for the following license:

Licensee:	Marina Inc	License #:	5445
License Type:	Restaurant/Eating Place		
Doing Business As:	Fili's Pizza		

**Section 2 – Gross Receipts for 2022 and 2023**

Please fill out the following information carefully, contact AMCO staff if you have questions regarding this form. Enter the dollar amounts of the food and gross (food + alcohol) receipts on the licensed premises and calculate the percentage of gross revenue that is from food sales on the licensed premises for each calendar year. (Food Revenue ÷ Gross Revenue x 100 = %)

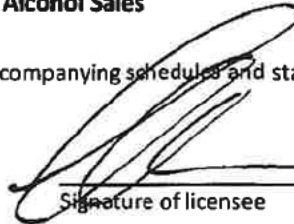
\$ [redacted]	÷	\$ [redacted]	X 100 =	50	%
2022 Food Sales		2022 Food + Alcohol Sales		2022 Percent from Food	

\$ [redacted]	÷	\$ [redacted]	X 100 =	51	%
2023 Food Sales		2023 Food + Alcohol Sales		2023 Percent from Food	

I declare under penalty of perjury that this form, including all accompanying schedules and statements, is true, correct, and complete.

**Sloane Unwin**

Printed name of licensee

  
 Signature of licensee

# Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5/19/23

License #/Type: 5445 Restaurant/Eating Place

Licensee: Marina, Inc.

Address: 110 Osage Street, Bethel, AK

DBA: Fili's Pizza

AMCO Case #: AM230136

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 01/24/2023, AMCO Enforcement received a report that Fili's Pizza, restaurant/eating place license #5445, in Bethel, Alaska, was selling more alcohol than food and stated they were concerned "the restaurant has turned into more of a bar than a restaurant." Additional concerns have been received from the Bethel Police Department that the premises may be over-serving customers. A restaurant/eating place license is required to have 50% or more of their sales in food.

On 02/10/2023 at approximately 1945 hrs. I was parked in the parking lot of Fili's Pizza in an unmarked vehicle wearing plainclothes when I saw a male walk out of the premises and attempt to stand in the arctic entryway of Fili's Pizza. The man displayed signs of being obviously drunken, staggering, stumbling and had difficulty maintaining his balance. The man attempted to get into a cab but was refused a ride from the cab. Concerned for the man's safety I called Bethel PD and watched the man while I waited for uniformed officers to respond. The man staggered down Osage Street falling down three times. Bethel PD was not able to respond due to being tied up on another call. I ensured the man was not hit by a car and made sure he safely made it home.

After I ensured the drunken person made it to a safe location I returned to Fili's Pizza, went inside and ordered food and a soda, while I sat at a table to observe activity. The dining area was fairly busy and I noticed most of the customers were drinking beer or wine with fewer tables having food than alcohol.

On 03/24/2023, I was in Bethel on military orders for the Alaska State Defense Force (ASDF) along with over twenty other ASDF soldiers from across the state for training and community engagement at the Cama-I Festival. While staffing an information table at Cama-I Festival, Lt. Wigner from Bethel PD contacted me and asked if I could go on-duty for AMCO to respond to Fili's Pizza for possible over-service. I told him I would be unable to since I was on military duty but to please send me any reports of activity.

On the morning of 03/25/2023, Major (Alaska) Ryan Sharrett and Chief Warrant Officer 5 (Alaska) Hamilton Long told me they were having dinner at Fili's Pizza and were harassed by an obviously drunken person. MAJ (AK) Sharrett said they were in military uniforms sitting at a table eating dinner when a drunken male confronted them and told them they "weren't wanted here." MAJ (AK) Sharrett said the man asked the "bartender" for a beer at a table but the bartender told the man he needed to get the beer at the counter. MAJ (AK) Sharrett said the drunken man went to the counter where the "bartender" sold the man two bottles of beer. Both MAJ (AK) Sharrett and CWO5 (AK) Long thought the location was more of a bar than restaurant based on the amount of customers drinking alcohol and not eating food. Both MAJ (AK) Sharrett and CWO5 (AK) Long described the man who confronted them as a "drunk" based on his observed behavior including speech, balance, red, watery eyes.

Your attention is drawn to:

AS 04.16.030. Prohibited conduct relating to drunken persons.

(a) A licensee, an agent, or employee may not with criminal negligence

(1) sell, give, or barter alcoholic beverages to a drunken person;

(2) allow another person to sell, give, or barter an alcoholic beverage to a drunken person within licensed premises;

(3) allow a drunken person to enter and remain within licensed premises or to consume an alcoholic beverage within licensed premises;

(4) permit a drunken person to sell or serve alcoholic beverages.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

\*Please send your response to the address below and include your alcohol license number in your response.

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7<sup>th</sup> Ave, Suite 1600

Anchorage, Alaska 99501

[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

AMCO



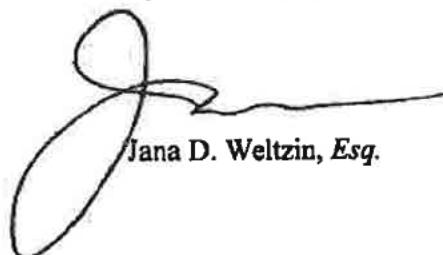
Jana D. Weltzin  
Licensed in Alaska & Arizona  
901 Photo Ave, Second Floor  
Anchorage, Alaska 99503  
Phone 907-231-3750  
JDW, LLC  
jana@jdwcounsel.com

May 30, 2023

Director Wilson:

Please see the attached letter from Marina, Inc. regarding AMCO Case#: AM230136.

Truly and Sincerely Yours,

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a horizontal line and a small flourish at the end.

Jana D. Weltzin, *Esq.*

AMCO

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May 30, 2023

Dear Honorable ABC Board Members & Enforcement:

This letter is in response to AMCO Case#: AM-230136, received by our restaurant, Fili's Pizza, license #5445, located in Bethel, Alaska. We received the above-referenced Notice of Violation ("NOV") on May 19, 2023; several incidents were reported and referenced that need to be addressed. We also want to thank Enforcement for bringing these issues to our attention, and we are working hard to ensure any situation described in the NOV never occurs again on our licensed premises. We recognize that our ability to serve beer and wine at our restaurant is a privilege, and we will work diligently to ensure compliance.

The first date listed on the notice is January 24, 2023, which references a report that the restaurant had turned into a bar but did not state how or why they felt that way, other than "concerns" from Bethel PD of "over-service." If there have been reports of this happening, and our customers were over-served to the point that the police department was repeatedly involved, we were unaware of this issue until the above-referenced NOV was provided to us. We are actively taking steps, as outlined below, to address these concerns.

The second date and incident referenced is on February 10, 2023, where a plainclothes officer saw an alleged inebriated person leave the restaurant and personally intervened to get them home safely. We greatly appreciate the officer intervening and ensuring a community member got home safely; however, we do want to point out that it is very likely that person attempted to enter our restaurant and was turned away by our wait staff and not served if the person was already intoxicated. Our staff is fully trained in the signs of inebriation; the staff would have asked him to leave immediately if he were staggering, stumbling, and having difficulty maintaining his balance, as the officer mentions in his report. There is no reference by the officer regarding him seeing this individual drink or purchasing any alcohol of any kind in our establishment. He only saw the individual in the arctic entryway, leaving alone. We have a pretty long list of individuals that have been "86'ed" from our restaurant, and we turn those people away as soon as they enter the establishment. This person could have been already drunk when they entered the premises and turned away for service because of that fact, or the person could have been on our 86 list and was asked to leave the premises.

Marina, Inc.  
3351 Arctic Blvd  
Anchorage, Alaska 99503  
P: 907-751 6800, E: info@innatwhittier.com

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Another unfortunate possibility is the pre-drink patron. Unfortunately, in Bethel, we wrestle with a well-known community issue of "pre-drink," which is when folks drink hard alcohol before entering a restaurant and then come into the restaurant. At first, they appear sober and safe for beer and wine service. But then, slowly, it'll become apparent that they have been drinking right before coming into the restaurant and quickly start showing signs of inhibition. We have trained our staff on this pre-drink issue, but we have more work and training to do to combat this issue. When a person starts showing signs of intoxication after one beer, that is a clear sign of the pre-drink, and we stop service and may ask them to leave the premises. Most of the time, provided they are respectful and not disturbing other customers, we encourage them to eat their food order before leaving.

In regards to the February 10, 2023 incident and the office mentioned that "[m]ost of the customers were drinking beer or wine with fewer tables having food than alcohol." It is not typical practice to serve alcohol without food, even though we do allow it, but this NOV gave us something to ponder. We believe if we offered a more robust menu, with options that go far beyond the typical pizzeria, then there would be more options for all patrons for food choices. Upon this reflection, and to combat the "bar-like" concerns, we are launching a newly revised menu. This menu will include our traditionally offered items, pizza, salads, etc. – but will also offer more gourmet items, such as steak, chicken, shrimp skewers, crab, varying pasta dishes, seared tuna, and poke bowls. We think there is a need in the Bethel community for us to provide to the community a more diverse menu to appeal to a wider demographic than your typical pizza and beer consumer. This NOV has inspired us to expand our business model – we will launch this newly revised menu within 3-4 weeks of this response. We are excited about the new options, and our team is working hard on the presentation and preparations needed to launch these new dishes.

The third date and incident referenced is on March 25, 2023, in which Major Sharratt and Chief Warrant Officer Long reported to Investigator Chiesa that they felt harassed by a person whom they felt was drunk in the restaurant. They also reported that the individual purchased two beers from the counter service in the restaurant and made a general observation that they felt more customers were purchasing more beer than food. As an initial comment, we want to make sure it is clear that we honor and respect our military, so for one of our customers to make disparaging comments to uniformed military officers causes us much distress. Having our staff serve additional alcohol to such an individual adds insult to injury. Since March 25, we have hired a new manager – we relocated him from Anchorage, and he has

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25 years of restaurant management experience. We have had and will continue to have additional training with our

staff regarding the signs of impairment and to watch carefully for folks that look sober when entering but, over time, tend to show symptoms of the *pre-drink* phenomena.

Notwithstanding the foregoing, we do want to mention the dates of this incident as well, the night of March 24 was the opening ceremony for the Cama-I Dance Festival (in which 2023 was the first year back since COVID), and there were many individuals from all over Alaska in Bethel that weekend for the festival and activities. It does not excuse anyone being inebriated or disrespectful towards our military in our restaurant; as owners of Filis, we support the military in every way and are grateful for their service, unfortunately, but this is another instance of an influx of individuals that would not usually be in Bethel, and with the alcohol laws being the way they are, people cannot legally purchase alcohol anywhere other than restaurants, so when they come to a damp community from a dry community and want to legally drink they are required to come to a restaurant to be served.

Unfortunately, this is an issue; however, as responsible business owners, we are taking the following steps to change the misconception that our restaurant is being used as a bar and to prevent anyone from thinking that we have ever over-served any individual or that we are non-compliant with the ABC Board, regulations, or statutes.

1. We have replaced two restaurant managers, and in such a small town (and as an industry wide issue), the staff turnover, in general, has not been good in the last six months; so, to right the ship, we have hired a new restaurant manager with 25 years of experience from the Lower 48 and have relocated him from Anchorage to Bethel.
2. We will be conducting training for all of our staff to ensure they are educated in the laws regarding the consumption and service of alcohol and remain compliant with their TAPS certification requirements.
3. Effective immediately, we will close business every day at 11:00 pm instead of midnight.
4. We are introducing a new menu that will be more restaurant heavy. Along with pizza, potato skins, appetizers, and burgers, we will introduce pasta, seafood, crab, seared tuna, chicken, steak, seafood skewers, and a poke bowl.
5. We will be reinforcing the 86 list and expanding it as needed.
6. We are in the process of redeveloping our website to reflect the new elegant restaurant vibe we are working towards and reflect the new hours of operation.
7. Beer and wine will only be served to individuals sitting at the counter for service or at a table, and we will not serve individuals who walk up to the counter requesting alcohol.

Marina, Inc.

3351 Arctic BLVD

Anchorage, Alaska 99503

P. 907-751 6800, E: info@innatwhittier.com

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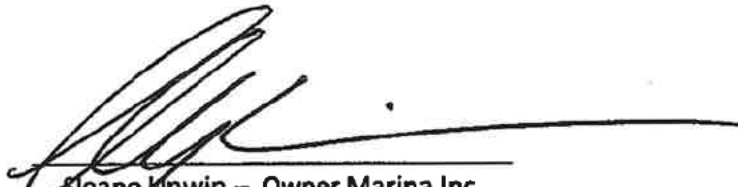
8. Individuals will not be able to obtain alcohol directly from the counter staff.

As business owners, we are pledging to ensure that there is never another misconception that Fili's Pizza has ever overserved or that the restaurant is out of compliance with ABC and AMCO's Enforcement. Please understand that it was not our intention to make anyone believe that we have/are over-serving patrons.

Feel free to contact us with any questions or concerns. Our counsel Jana Weltzin will be available at the August ABC meeting, and we will be available on Zoom to address any additional concerns or questions the ABC members may have.

We very much appreciate your time and commitment to our industry and our communities.

Respectfully Submitted,



Sloane Dunwin – Owner Marina Inc.



Todd Perez – Owner Marina Inc.

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Anchorage, Alaska 99503  
P: 907-751-6800, E: info@innatwhittier.com

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