# State of Alaska Alcoholic Beverage Control Board September 10, 2002, Anchorage Agenda

### 1. <u>ADMINISTRATION</u>

A. Approve Board minutes of April 2, 2002. **Approved** 

- B. Approve Board minutes of June 11, 2002.
- C. Delegate to the director tie-breaking vote.

**Approved** 

### 2. <u>ADMINISTRATIVE MATTERS</u>

#### A. Informal Conferences

1. 01/02-110 **Bering Sea Saloon** – beverage dispensary

Accusation # 02-01

**Attachment 2A-1** 

**Postponed** 

2. 01/02-172 **Breakers Bar** – beverage dispensary – license # 01/02-172

Dismissal - Accusation # 02-02

Settlement reached

**Attachment 2A-2** 

Board accepted informal settlement.

- 1. \$3,000 fine with \$2,000 Suspended \$1,000 paid to Nome Police Department.
- 2. 100 days suspension of license with 85 days suspended 15 days consecutive closure prior to 2/28/03.
- 3. Display ad in local paper prior to closure.
- 4. 3 years probation.

#### **B.** Hearing Officer Decisions

### C. Settlement Agreement

02/03-3592 **The Borealis Brewery** – brewery license

Dismissal - Accusation # 01-19

Voluntary relinquishment

**Attachment 2C-1** 

Accepted relinquishment of license.

#### D. Renewal/Non-Renewal

02/03-2951 **AMVETS Post #4;** AMVETS Post #4; James Walters – Cmdr; 43335 Kalifonsky Beach Rd – Kenai Peninsula Borough; **renewal** of a club license; backgrounds not complete.

Request denial of renewal based on non-compliance with fingerprint requirements.

Attachment 2D

No action taken.

### E. Request Formal Hearing

### F. Suspensions

1. 02/03-2808 **Dimond Liquor;** Hong T. Kim; 1901 W Dimond Blvd – Anchorage; package store license.

Owner convicted - selling to an intoxicated person.

**Attachment 2F-1** 

# Postponed until next meeting

2. 02/03-326 **Kooteeya Bar;** Kooteeya Inc; James Austin – Pres; Front St – Hoonah; beverage dispensary license.

VP/Manager of establishment convicted with the charge "Drunken Person on Licensed Premises".

Attachment 2F-2

Postponed until next meeting.

### **G.** Board Consideration

Brewpub License with duplicate – discussion

### 3. <u>CONSENT AGENDA</u>

Consent agenda approved.

#### A. Restaurant Designation Permits

Attachment 3A

#### B. REMOVED

C. 02/03-4186 **Fred Meyer;** Fred Meyer of Alaska Inc; Northgate Dr & Old Glenn Hwy – Eagle River; transfer of **ownership, location & name** of a package store license from Northwest Retail Ventures LLC, d.b.a. Alaska Marketplace #580, located at 12001 Business Blvd in Eagle River; backgrounds not required – NYSE.

All statutory requirements have been met. Municipality of Anchorage does not protest.

D. 02/03-4237 **Glacial Reflections #301**; The Hotel Fourth Avenue, Inc.; Robert Gottstein – Pres; Alaska Railroad; **new** common carrier – seasonal license. Backgrounds complete.

All statutory requirements have been met. There is no local governing body. Temporary approval issued August 12, 2002.

Attachment 3D

- AND -

E.	02/03-4238	Glacial Reflections #352; same as above	<b>Attachment 3E</b>
F.	02/03-4239	Glacial Reflections #400; same as above	<b>Attachment 3F</b>
G.	02/03-4240	Glacial Reflections #401; same as above	Attachment 3G
H.	02/03-4241	Glacial Reflections #451; same as above	Attachment 3H
I.	02/03-4242	Glacial Reflections #452; same as above	Attachment 3I

J. 02/03-4166 **Jewel Lake Mongolian BBQ**; Chong C. Cho; 8901 Jewel Lake Rd – Anchorage; **new** restaurant/eating place license; background complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued July 5, 2002.

Attachment 3J

K. 02/03-2296 **Kaze Restaurant;** Chae P. Jun; 930 W 5<sup>th</sup> Ave – Anchorage; transfer of **ownership** of a restaurant/eating place license from Takaharu Ohyama; background complete.

All statutory requirements have been met. Municipality of Anchorage does not protest.

#### L. REMOVED

M. 02/03-3058 **The Moosehead Saloon;** Any Day Now Inc; Daniel DeBoer - Pres; 808 S Colony Way – Palmer; transfer of **ownership** beverage dispensary license from Moosehead Saloon Inc; backgrounds complete.

All statutory requirements have been met. City of Palmer does not protest.

N. 02/03-4222 **Seabourn Spirit M/V**; Cunard Line Limited; Pamela Conover – Pres; Alaskan Waters; **new** common carrier – seasonal license; backgrounds complete.

All statutory requirements have been met. No local governing body. Temporary approval issued June 26, 2002.

Attachment 3N

O. 02/03-4205 **Summit;** Celebrity Cruises Inc; Jack Williams – Pres; Alaskan Waters; **new** common carrier – seasonal license; backgrounds complete.

All statutory requirements have been met. No local governing body. Temporary approval issued June 26, 2002.

Attachment 30

P. 02/03-4193 **VFW #2509 – Palmer Post**; Palmer Post #2509 Veterans of Foreign Wars; Pat Weepie – Pres; 1920 Glenn Hwy – Palmer; **new** club license; backgrounds complete.

All statutory requirements have been met. City of Palmer does not protest.

Temporary approval issued June 26, 2002.

Attachment 3P

Q. REMOVED

# END CONSENT AGENDA

Consent agenda approved.

# 4. <u>DELEGATION CONSENT AGENDA</u>

A. 02/03-4184 **12 Mile Roadhouse**; 12 Mile Roadhouse Incorporated; Randall Kelsch – Pres; 2250 Old Richardson Hwy – North Pole; transfer of **ownership, location & name** of a beverage dispensary license from Debra Krier dba Birch Hill Roadhouse; backgrounds not complete.

All statutory requirements have been met. Fairbanks North Star Borough does not protest. Temporary approval issued July 29, 2002.

Approved

Attachment 4A

B. 01/02-4216 2 Go Mart #115; Tesoro Northstore Company; Rodney Cason – Pres; 99 College Rd - Fairbanks; transfer of location & name of a package store license from 3596 Airport Rd; backgrounds complete.

Statutory requirements have not been met – fire inspection has not been completed. City of Fairbanks does not protest.

C. 02/03-2534 Alaskan Brewing Company; Alaskan Brewing LLC; Geoffrey Larson – Mgr; 5429 Shaune Dr - Juneau; transfer of ownership & name of a brewery license from Alaskan Brewing & Bottling Company (parent company) dba Alaskan Brewing & Bottling Co.; backgrounds not complete.

All statutory requirements have been met. City & Borough of Juneau does not protest.

- D. REMOVED
- E. REMOVED

#### F. REMOVED

G. 01/02-201 **Carpentier's Cocktail Lounge;** Little Dipper Inc (stock transfer); David Carpentier; 335 Boniface Pkwy – Anchorage; transfer of **ownership** of a beverage dispensary license from Little Dipper Inc, Kathy Carpentier; background not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest.

H. 02/03-4225 **Coldfoot Camp;** Sukakpak Inc; Lee Kenaston – pres; Mile 175 Dalton Hwy – unorganized; **new** beverage dispensary license; backgrounds not complete.

Statutory requirements have not been met – fire inspection has not been completed. No local governing body.

I. 02/03-242 Clear Sky Lodge; Clear Sky Lodge Inc (stock transfer); Carol Shields – Pres; Mile 280 Parks Hwy – Denali Borough; transfer of ownership of a beverage dispensary license from Clear Sky Lodge Inc, Frederick Shields; background not complete.

All statutory requirements have been met. No response from Denali Borough within statutory time limits.

J. 02/03-243 Clear Sky Lodge; Clear Sky Lodge Inc (stock transfer); Carol Shields – Pres; Mile 280 Parks Hwy – Denali Borough; transfer of ownership of a package store license from Clear Sky Lodge Inc, Frederick Shields; background not complete.

All statutory requirements have been met. Denali Borough does not protest.

K. 01/02-1574 Cheftuan's Dog House Restaurant & Pub; Tuan S. Dean; 3400 College Rd – Fairbanks; transfer of ownership of a restaurant/eating place license from Gerry Ostrow, Mary Guichici & George Comstock dba The Dog House; background not complete.

All statutory requirements have been met. Fairbanks North Star Borough does not protest.

L. 02/03-1089 **Family Restaurant;** Susan Yoon; 188 W Broadway Ave – Unalaska; transfer of **ownership & name** of a restaurant/eating place license from Stormy's Incorporated dba Stormy's; backgrounds not complete.

All statutory requirements have been met. City of Unalaska does not protest. Temporary approval issued July 26, 2002.

Attachment 4L

M. 02/03-908 **Funny Farm Bar & Liquor;** Funny Farm LLC; Shamarie Coomler - Mbr/Mgr; Mile 38.5 Glenn Hwy – Mat-Su Borough; transfer of **ownership & name** of a beverage dispensary license from Ruth Rebischke dba Pole Lock Bar & Likker; backgrounds not complete.

All statutory requirements have not been met. Mat-Su Borough protests based on delinquent property tax – Dan Coffey's office is working on a remedy.

Approved with delegation to Director

N. 02/03-909 **Funny Farm Bar & Liquor;** Funny Farm LLC; Shamarie Coomler - Mbr/Mgr; Mile 38.5 Glenn Hwy – Mat-Su Borough; transfer of **ownership & name** of a package store license from Ruth Rebischke dba Pole Lock Bar & Likker; backgrounds not complete.

All statutory requirements have not been met. Mat-Su Borough protests based on delinquent property tax— Dan Coffey's office is working on a remedy.

Approved with delegation to Director

- O. MOVED TO ADDENDUM
- P. REMOVED
- Q. 02/03-536 **Howling Dog Saloon;** Howling Dog Inc. (stock transfer) Angela D. Brock; 2160 Old Steese Hwy FNSB; transfer of **ownership** of a beverage dispensary tourism seasonal license from Howling Dog Inc, Michael Brock (deceased); background not complete.

All statutory requirements have been met. FNSB does not protest.

R. 02/03-2579 **Kamping Resorts of Alaska**; Russell Wimmer Jr.; Mile 153 Glenn Hwy – Glennallen (outside city limits); transfer of **ownership** of a beverage dispensary license from Kamping Resorts of Alaska Incorporated; backgrounds not complete.

All statutory requirements have been met. No local governing body.

S. 02/03-2578 **Kamping Resorts of Alaska**; Russell Wimmer Jr.; Mile 153 Glenn Hwy – Glennallen (outside city limits); transfer of **ownership** of a package store license from Kamping Resorts of Alaska Incorporated; backgrounds not complete.

All statutory requirements have been met. No local governing body.

T. 02/03-4228 **Keet M/V**; Auk Nu Tours Inc; J. Gary Droubay – Pres; Alaskan Waters; **new** common carrier – seasonal license; backgrounds not complete.

All statutory requirements have been met. No local governing body.

V. 01/02-3198 **The Marlin;** Full Moon Incorporated; Sharon Mensik – Pres; 3412 College Rd – FNSB; transfer of **ownership** of a beverage dispensary license from Gerry Ostrow; backgrounds not complete.

All statutory requirements have been met. FSNB does not protest.

W. 02/03-4218 New York Café; Inn at Creek Street LLC; Kyan & Erin Reeve Reeve – Mbr/Mgr's; 207 Stedman St/38 Creek St – Ketchikan; new restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have been met. City of Ketchikan does not protest. Temporary approval issued July 26, 2002.

Attachment 4W

X. 02/03-4215 **Peking Restaurant;** Hye Suk Min; 338 4<sup>th</sup> Ave – Seward; **new** restaurant/eating place – public convenience license; background not complete.

All statutory requirements have been met. City of Seward does not protest.

Temporary approval issued July 19, 2002.

Attachment 4X

Y.01/02-845 **Pelican Wet Goods;** James "Steve" & Jill Daniels; 1014 Salmon Way – Pelican; transfer of **ownership** of a package store license from Bradley V. Padon; backgrounds not complete.

All statutory requirements have been met. City of Pelican does not protest.

AA. 02/03-4223 **PHO Mailee**; Mailee Nguyen; 3020 Minnesota Dr #20 – Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest.

AB.02/03-4213 **Sabrosa**; Marissa Mireur; 6<sup>th</sup> & Broadway – Skagway; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have been met. City of Skagway does not protest. Temporary approval issued June 21, 2002.

Attachment 4AB

AC.02/03-1001 **Salcha Liquors;** Roxy R. Frey; 8837 Richardson Hwy – FNSB; transfer of **ownership & name** of a package store license from Debra J. Mutchler; backgrounds not complete.

All statutory requirements have been met. FNSB does not protest.

AD. REMOVED

AE. REMOVED

AF.02/03-1059 **Sno-Shu-Inn**; Roxy R. Frey; 8837 Richardson Hwy – FNSB; transfer of **ownership** of a beverage dispensary license from Debra Mutchler; background not complete.

All statutory requirements have been met. FNSB does not protest.

AG.02/03-3651 **Steamers at the Docks;** Montgomery Inc; Timothy Montgomery – Pres; 76 Front St – Ketchikan; transfer of **ownership** of a beverage dispensary license from Steamers Restaurant LLC; backgrounds not complete.

All statutory requirements have been met. City of Ketchikan does not protest.

AH.02/03-4214 **A Taste of Alaska Lodge**; Deborah L. Eberhardt; 551 Eberhardt Rd – FNSB; new restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. FNSB does not protest. Temporary approval issued June 26, 2002.

Attachment 4AH

AI. REMOVED

AJ. REMOVED

AK.02/03-4219 **Wayne's Original Texas Bar-B-Que;** Kodiak Foods LLC; Roger Hurst – Mgr; 3400 C St – Anchorage; **new** restaurant/eating place license; backgrounds not complete.

Statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued August 27, 2002.

Attachment 4AK

AL.02/03-4229 **Wines International**; Wines International Ltd.; Dale Stewart – Pres; #5 Salmon Landing Ste 108 – Ketchikan; transfer of ownership, location & name of a package store license from Walker Investments LLC, dba Marina Market & Liquor, located at #5 Salmon Landing Ste 110; backgrounds not complete.

All statutory requirements have been met. City of Ketchikan does not protest. Temporary approval issued June 27, 2002.

Attachment 4AL

AM.01/02-624 **Nobody's Inn;** Kashim Inc. (Stock transfer); Richard Tzou – Pres; 181 W Parks Hwy – Wasilla; transfer of **ownership** of a beverage dispensary – tourism license; 49% stock change from Ted & Marilyn Williams to Raven Spruce Limited; backgrounds not complete.

Statutory requirements have been met. City of Wasilla does not protest.

AN. MOVED TO ADDENDUM

#### END DELEGATION CONSENT AGENDA

### 5. **PROTESTS**

A. 02/03-2647 **Mike Cusack's King Salmon Lodge**; Mike Cusack's King Salmon Lodge Inc; Michael Cusack – Pres; Lot 2 USS 3177 Naknek River – Bristol Bay Borough; **renewal** of a beverage dispensary – tourism license.

Bristol Bay Borough protests renewal based on delinquent real property, personal property, and transient occupancy taxes.

Approved with delegation to Director.

Attachment 5A

- B. REMOVED
- 6. 02/03-4220 **Save-U-More Liquor #6;** Castle Liquor Inc.; Valentin Caspaar Pres; 276 Olson Homer; transfer of **location** of a package store license from 601 Pioneer Ave; backgrounds on file.

Statutory requirements have been met. City of Homer does not protest. *This is a temporary location – see next item.* 

Approved with delegation to Director.

- AND -

- 7. 02/03-4221 **Save-U-More Liquor #6;** Castle Liquor Inc.; Valentin Caspaar Pres; 3611 Great End Homer; transfer of **location** of a package store license from 276 Olson; backgrounds on file.
  - \*\* Statutory requirements have not been met building not complete, fire inspection will be done upon completion. City of Homer does not protest.

    Approved with delegation to Director.
- 8. 02/03-4207 **Susie's Homestead Café;** Susie Stretch; 7291 Chena Hot Springs Rd FNSB; **new** restaurant/eating place license; backgrounds complete.

Statutory requirements have not been met – **State Fire Marshal has not given final approval – see attached letter**. FSNB does not protest.

\*\* Nine letters of protest from concerned citizens.

Attachment 8

Approved with delegation to Director.

9. 01/02-4198 **Williams Express;** Williams Express Inc; Diane Prier – Pres; 7383 W Parks Hwy – Mat-Su Borough; transfer of **ownership, location & name** of a package store license from Sutton Liquor Inc, dba Sutton Liquor, located at Mile 59.5 Glenn Hwy; backgrounds complete.

All statutory requirements have been met. Mat-Su Borough protests. CUP – *conditional use permit* – has not been issued.

Postponed, 90 day requirement waived.

10. 02/03-4175 **The Skagway Pizza Station**; Elizabeth F. Winslow; 444 4<sup>th</sup> Street – Skagway; **new** restaurant/eating place – public convenience license; background complete.

All statutory requirements have been met. City of Skagway does not protest, but adds restriction that they **not** sale beer and wine before noon on Sundays due to the close proximity of a Presbyterian Church and Presbyterian Manse. Temporary approval issued September 5, 2002.

Attachment 10

Approved with conditions.

11. 02/03-4232 **Area 51;** Full Moon Incorporated; Sharon Mensik – Pres; 537 Gaffney – Fairbanks; transfer of **ownership**, **location & name** of a beverage dispensary license from Nyquist Inc dba Mel's Diner located at 923 Old Steese Hwy; backgrounds not complete.

All statutory requirements have been met. City of Fairbanks does not protest.

(FYI - City of Fairbanks did not protest, however, the Fairbanks Police Dept., the Fairbanks Downtown Association; and various businesses located in the vicinity of the proposed premises did object.)

Approved with delegation to Director.

Date of next meeting: November 19, 2002

Location of next meeting: Anchorage