

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**June 15, 2006**  
**Agenda**

**Members present:**

**In person – Mike Gordon; Billy Andrews**

**Via teleconference – Gail Neimi; Shirley Gifford; William Tull**

**All votes via roll call**

**1. ADMINISTRATION**

**A. Approve minutes of April 20, 2006 Board meeting.**

**Approved 5-0**

**B. Delegate tie-breaking vote to the Director.**

**William Tull recused himself due to conflict of interest as attorney for Mr. Stevens – Fish Heads Bar & Grill (only for item 2B-1)**

**Approved 4-0**

**2. ADMINISTRATIVE MATTERS**

**A. INFORMAL CONFERENCES**

**B. HEARING OFFICER DECISIONS**

**1. 06/07-4256 Fish Heads Bar & Grill; Fish Heads LLC; located at 3250 Palmer Wasilla Hwy in MatSu Borough; beverage dispensary license. **Attachment 2B-1****

Decision No. 05-01

**Motion to adopt Hearing Officer Decision Option 1 in its entirety; motion seconded; Approved 4-0 with the condition that the license be allowed to continue until midnight on June 30, 2006 with absolutely no music to be played, and no adult or simulated adult performances to take place during this period. If a violation of these conditions occurs, the license will be revoked immediately.**

**C. SETTLEMENT AGREEMENT**

**D. VOLUNTARY RELINQUISHMENT OF LICENSE**

**E. REQUEST FORMAL HEARING**

**F. SUSPENSION**

**1. 05/06-1309 Anchor River Inn; Anchor River Inn Inc.; located at Mile 157 Sterling Hwy in the Kenai Peninsula Borough; beverage dispensary - tourism license.**

Staff request up to 45-day suspension for licensee conviction.

**Attachment 2F-1**

**Motion to suspend for 4 days in October on a Monday/Tuesday/Wednesday/Thursday; seconded; Approved 4-1 (Mr. Gordon voted No)**

2. 05/06-74 **Pancho's Villa Restaurant**; Carlos G Gomez & Ricardo R Villasenor; located at 3104 Spenard Rd in Anchorage; beverage dispensary license.

Staff request up to 45-day suspension for licensee conviction.

**Attachment 2F-2**

**Motion to suspend for 45 days with 38 suspended (close for 7 days) with \$500 fine; seconded; Approved 4-1 (Mr. Gordon voted No)**

3. 05/06-107 **Bella Vista Pizzeria & Restaurant**; Charlampos Alefantinos; located at 20908 Ben Stephens Dr; restaurant/eating place license.

Staff request up to 45-day suspension for licensee conviction.

**Attachment 2F-3**

**Motion to suspend for 7 days with \$1000 fine to take effect immediately; seconded; Approved 4-0 (Ms. Gifford was not present for this vote)**

4. 05/06-2616 **Chepo's Fiesta**; Jose Nanez; located at 731 W Parks Hwy in Wasilla; beverage dispensary license.

Staff request up to 45-day suspension for licensee conviction.

**Attachment 2F-4**

**Motion to suspend for 7 days with \$500 fine to take effect within 90 days; seconded; Approved 4-0 (Ms. Gifford was not present for this vote)**

5. 05/06-3369 **Nero's Pizza**; Emmanuel Xenikakis; located at Mile 26 Kenai Spur Hwy in the Kenai Peninsula Borough; restaurant/eating place license.

Staff request up to 45-day suspension for licensee conviction.

**Attachment 2F-5**

**Motion to suspend for 7 days with \$500 fine to take effect within 90 days; seconded; Approved 4-0 (Ms. Gifford was not present for this vote)**

## **G. BOARD CONSIDERATION**

### **1. Caterers Permit Application Change**

**Attachment 2G-1**

**Motion to allow Beverage Dispensary licenses with an approved Restaurant Designation Permit (RDP) to utilize the RDP at a catered event for the same purposes that the RDP has been approved for; seconded; Approved 5-0**

3. **CONSENT AGENDA**

Approved 4-0 (Ms. Gifford not present)

**A.** 06/07-4592 **Denali Princess Wilderness Lodge Rapids**; Alaska Hotel Properties LLC; located at 238.5 Parks Hwy in Denali Borough; **new** beverage dispensary- tourism seasonal license; backgrounds complete.

All statutory requirements have been met. Denali Borough does not protest. Temporary approval issued May 17, 2006.

**B.** 06/07-4593 **Mt. McKinley Princess Wilderness Lodge 20,320 Alaskan Bar & Grill**; Alaska Hotel Properties LLC; located at 133 Parks Hwy – Denali State Park in MatSu Borough; **new** beverage dispensary- tourism seasonal license; backgrounds complete.

All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued May 17, 2006.

**C.** 06/07-4601 **Kenai Explorer, M/V**; CIRI Alaska Tourism Corporation; located in Alaskan Waters; **new** common carrier – seasonal license; backgrounds complete.

**AND**

06/07-4600 **Tanaina, M/V**; CIRI Alaska Tourism Corporation; located in Alaskan Waters; **new** common carrier – seasonal license; backgrounds complete.

All statutory requirements have been met. No local governing body. Temporary approval issued April 28, 2006.

**D.** 05/06-4479 **Princess Tours – Whit-Talk**; located on the Alaskan Railroad; **transfer of ownership & name change** of a common carrier – seasonal license from Statewide Services Inc., d.b.a. ESS Support Services Worldwide – Whit-Talk; backgrounds complete.

**AND**

05/06-4480 **Princess Tours – Talk-Whit**; located on the Alaskan Railroad; **transfer of ownership & name change** of a common carrier – seasonal license from Statewide Services Inc., d.b.a. ESS Support Services Worldwide –Talk-Whit; backgrounds complete.

**AND**

06/07-4383 **Princess Tours – Anch-Sew**; located on the Alaskan Railroad; **transfer of ownership & name change** of a common carrier – seasonal license from Statewide Services Inc., d.b.a. ESS Support Services Worldwide – Anch-Sew; backgrounds complete.

**AND**

06/07-4385 **Princess Tours – Sew-Anch**; located on the Alaskan Railroad; **transfer of ownership & name change** of a common carrier – seasonal license from Statewide Services Inc., d.b.a. ESS Support Services Worldwide –Sew-Anch; backgrounds complete.

All statutory requirements have been met. No local governing body. Temporary approvals issued May 17, 2006.

**E.** 06/07-4587 **Starfire**; Jeffrey Hitt; located at 230 4<sup>th</sup> Ave in Skagway; **new** restaurant/eating place – public convenience restaurant; background complete.

All statutory requirements have been met. City of Skagway approves. Temporary approval issued April 26, 2006.

**END CONSENT AGENDA**

#### 4. DELEGATION CONSENT AGENDA

Approved 4-0 (Ms. Gifford not present)

A. 06/07-4583 **Alpine Garden Grill**; AGG LLC; located at 259 McCallester Dr in MatSu Borough; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued May 30, 2006.

B. 06/07-3948 **Applebee's**; Kodiak Apple, Inc.; located at 4331 Credit Union Dr in Anchorage; **transfer of ownership & name change** of a beverage dispensary license from Apple Alaska LLC, d.b.a. Applebee's Neighborhood Grill; backgrounds not complete.

**AND**

06/07-4173 **Applebee's**; Kodiak Apple, Inc.; located at 7611 Debarr Rd in Anchorage; **transfer of ownership & name change** of a beverage dispensary license from Apple Alaska LLC, d.b.a. Applebee's II; backgrounds not complete.

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

C. 05/06-2477 **Bottle Shop, The**; Daniel E & Mallory J. Sloan; located at 1008 S Nordic Dr in Petersburg; **transfer of ownership** of a package store license from Kathryn A. Chaney; backgrounds not complete.

All statutory requirements have been met. Petersburg does not protest. Temporary approval issued April 21, 2006.

D. 06/07-4608 **Crystal Creek Lodge**; CC Lodge LLC; located at Mile 5.5 Rapids Camp Rd in Bristol Bay Borough; **new** lodge - seasonal license; backgrounds not complete.

All statutory requirements have not been met (State Fire Marshal and DEC have not responded). Bristol Bay Borough has not responded (notice sent 5/18/06).

E. 06/07-4585 **Denali Wilderness Lodge**; Wood River Holdings LLC; located at 35 Miles E of Healy & 70 Miles S of Fairbanks; **new** lodge – seasonal license; backgrounds not complete.

All statutory requirements have **not** been met (State Fire Marshal has not responded). No local governing body.

F. 06/07-4370 **Docwaters**; Sea Dawgs, Inc.; located at #2 Marine Way Ste 125 in Juneau; **transfer of ownership** of a beverage dispensary license from BCM, Inc.; backgrounds complete.

**AND SIMULTANEOUSLY**

**06/07-4370 Docwaters**; BCM, Inc.; located at #2 Marine Way Ste 125 in Juneau; **transfer of ownership** of a beverage dispensary license from Sea Dawgs, Inc.; backgrounds complete.

All statutory requirements **not** complete (Dept. of Labor has not responded – notice sent 3/10/06 and **re-sent** 6/6/06). City & Borough of Juneau does not protest.

G 05/06-753 **Flying Fish, The**; Steve & Lisa Nolan; located at No Premises in Kenai Peninsula Borough; **transfer of ownership & name change** of a beverage dispensary license from Barbara Pennington & Susan Gilbertson, d.b.a. The Robin's Nest, backgrounds not complete.

All statutory requirements have been met. Kenai Peninsula Borough does not protest.

**H.** 06/07-1860 **Gabberts Fish Camp**; Gabbert's Camp LLC; located at 2<sup>nd</sup> W Bend Alexander Creek in MatSu Borough; **transfer of ownership** of a beverage dispensary license from Keith L. Gabbert; backgrounds not complete.

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

**I.** 05/06-4580 **Glacier City Restaurant**; Glacier City Restaurant, Inc.; located at Girdwood Elementary School Subdivision Tract E-3 in Girdwood; **transfer of ownership, location & name change** of a beverage dispensary license from Hallelujah Corporation, located at 239 W 4<sup>th</sup> Ave, d.b.a. Howard Johnson Plaza Hotel; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage has not responded (originally notified 3/20/06 – did not receive; re-notified 4/25/06).

**J.** 05/06-3357 **Gold Miner's Hotel**; Sunsin Park; located at 918 S Colony Way in Palmer; **transfer of ownership** of a beverage dispensary – tourism license from Gold Miner's Hotel LLC; backgrounds not complete.

All statutory requirements have been met. City of Palmer does not protest. Temporary approval issued May 24, 2006.

**K.** 06/07-4603 **Homer Float Plane Lodge**; Ronald J. Nieman; located at 1244 in Homer; **new** lodge – seasonal license; backgrounds not complete.

All statutory requirements have *not* been met (State Fire Marshal and DEC have not responded). City of Homer does not protest.

**L.** 06/07-4581 **Istanbul Café**; Aybey Gencosmanoglu; located at 640 W 36<sup>th</sup> Ave in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued May 18, 2006.

**M.** 06/07-4586 **Jewel Gardens**; Garden City Enterprises LLC; located at 1.8 Mile Klondike Hwy in Skagway; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have been met. City of Skagway approves. Temporary approval issued May 15, 2006.

**N.** 06/07-3188 **Kodiak Apple**; Kodiak Apple, Inc.; located at No Premises in Anchorage; **transfer of ownership & name change** of a beverage dispensary license from AKLAQ Incorporated d.b.a. AKLAQ; backgrounds not complete.

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

**O.** 06/07-4567 **Liarsville**; Alaska Travel Adventures Inc.; located at Mile 1 Liarsville Rd in Skagway; **new** recreational site license; backgrounds not complete.

All statutory requirements have been met. City of Skagway does not protest. Temporary approval issued May 10, 2006.

**P.** 06/07-4612 **Nippon Maru**; Mitsui O.S.K. Passenger Line, Ltd.; located in Alaskan Waters; **new** common carrier – seasonal license; backgrounds not complete.

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

**Q.** 06/07-4576 **Nino's Italian Eatery**; NIRO Restaurants, Inc.; located at 831 E 36<sup>th</sup> Ave in Anchorage; **new** restaurant/eating place restaurant; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued on May 18, 2006.

**R.** 06/07-4566 **Quiet Place Lodge**; James & Pauli Hall; located at Tract B-2 Kroll Estates Subdivision Plat 82-58 – Halibut Cove in the Kenai Peninsula Borough; **new** lodge – seasonal license; backgrounds not complete.

All statutory requirements have *not* been met (State Fire Marshal *denies approval based on no plan review on file*; DEC has not responded.) Kenai Peninsula Borough does not protest.

**S.** 06/07-4578 **Red Salmon Lodge**; Patricia A. Heim; located at 18230 Sterling Hwy in the Kenai Peninsula Borough; **new** lodge – seasonal license; backgrounds not complete.

All statutory requirements have been met. Kenai Peninsula Borough does not protest.

**T.** 06/07-3895 **Robin's Landing**; Robin S. Jeffery; located at 2990 S Big Lake Rd in MatSu Borough; **transfer of ownership** of a beverage dispensary license from Robin & Gerald Jeffery; background not complete.

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

**U.** 06/07-4595 **Roma's**; SOE LLC; located at 327 Seward Square #1 in Sitka; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. City and Borough of Sitka does not protest. Temporary approval issued May 24, 2006.

**V.** 06/07-1032 **Sheep Creek Lodge**; Beyond Dreams, Inc.; located at Mile 88.2 Parks Hwy in MatSu Borough; **transfer of ownership** of a beverage dispensary license; backgrounds not complete.

#### **AND**

06/07-1033 **Sheep Creek Lodge**; Beyond Dreams, Inc.; located at Mile 88.2 Parks Hwy in MatSu Borough; **transfer of ownership** of a package store license; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest. Temporary approvals issued May 12, 2006.

**W.** 06/07-4594 **Talon Lodge**; Talon Charters Inc.; located at Apple Island in Sitka; **new** lodge – seasonal license; backgrounds not complete.

All statutory requirements have been met. City of Sitka does not protest. Temporary approval issued May 26, 2006.

**X.** 05/06-1125 **Tempura Kitchen**; Hyun Sook Ko; located at 3826 Spenard Rd in Anchorage; **transfer of ownership** of a restaurant/eating place license from Chong Suk Cho; backgrounds not complete.

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

**Y.** 05/06-4598 **Thai House Restaurant;** Kwok Keung Wu; located at 127 Stedman St in Ketchikan; **transfer of ownership, location & name change** of a restaurant/eating place license from Luis Orta, located at 1831 Tongass Ave, d.b.a. Ocean View Restaurant; backgrounds not complete.

All statutory requirements have *not* been met (State Fire Marshal and DEC have not responded.) City of Ketchikan does not protest.

**Z.** 06/07-4575 **That One Place;** Thomas Basin LLC; located at 211 Stedman St in Ketchikan; **transfer of ownership, location & name change** of a beverage dispensary license from Isner Inc, located at 116 Front St, d.b.a. Alaska Bar & Liquor; backgrounds not complete.

All statutory requirements have been met. City of Ketchikan does not protest. Temporary approval issued April 21, 2006.

**AA.** 05/06-1948 **Thompson House;** Alaska Commercial Company; located at 1310 Craig Klawock Hwy in Craig; **transfer of ownership & name change** of a package store license from Craig Bar & Liquor Store Inc., d.b.a. Young's Liquor Store; backgrounds not complete.

All statutory requirements have been met. City of Craig does not protest. Temporary approval issued May 26, 2006.

**AB.** 06/07-4572 **Tordrillo Mountain Lodge;** Triumvirate, LLC; located at Judd Lake in MatSu Borough; **new** lodge – seasonal license; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued May 3, 2006.

**AC.** 06/07-2296 **Winter Thyme, The;** Tuesday's Child LLC; located at 930 W 5<sup>th</sup> Ave in Anchorage; **transfer of ownership & name change** of a restaurant/eating place license from Chae P. McCole, d.b.a. Kaze; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued May 5, 2006.

**AD.** 05/06-4584 **Zephyr;** Zephyr LLC; located at 200 Seward St in Juneau; **transfer of ownership, location & name change** of a restaurant/eating place license from Café Saigon, Inc, located at 1951 Anka St, d.b.a. Café Saigon; backgrounds not complete.

All statutory requirements have *not* been met (City Fire Marshal/Building Inspector has not approved building at this time). City & Borough of Juneau does not protest (pending final inspection and approval by building inspector).

## **END DELEGATION CONSENT AGENDA**

5. **PROTESTS**

6. **OTHER FILINGS**

Approved with delegation 4-0 (Ms. Gifford not present)

A. 06/07-4568 **Calypso**; Caldou Corporation; located at No Premises in Municipality of Anchorage; **transfer of ownership & name change** of a beverage dispensary license from AOK, Inc., d.b.a. Wylie Coyote; backgrounds not complete.

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

**Please note:** Application, as applied for, shows location at 637 A St. This location was **denied** by the Municipality of Anchorage for **Conditional Use Permit**, at its April 18, 2006 assembly meeting. Upon request by the applicant, transfer of ownership was further reviewed by the Municipality and was approved separately at its May 23, 2006 assembly meeting.

B. 06/07-4573 **Sizzlin' Café**; Grizzlin Group Inc.; located at 523 W 3<sup>rd</sup> Ave in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage **protests** based on **conditional use permit** has not been issued at this time. (MOA notified 3/9/06).

7. **BACKGROUND INFORMATION**

8. **MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS**

Date of next meeting: **August 9, 2006**

Location of next meeting: **Fairbanks**