

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**February 21, 2007**  
**Agenda**

**Board members present: Mike Gordon; Gail Niemi; Billy Andrews; Shirley Gifford – all in person; William Tull joined via teleconference at 9:45 am.**

**1. ADMINISTRATION**

**A. Approve minutes of November 29, 2006 Board meeting.**

**Ms. Gifford motions to approve; Mr. Andrews seconds the motion; Approved 4-0**

**B. Elect Chairman of the Board; and Vice Chair.**

**Mr. Andrews nominates Mr. Gordon; Ms. Niemi seconds the motion; Approved 4-0**

**Ms. Gifford nominates Ms. Niemi; no second.**

**Ms. Niemi nominates Ms. Gifford; Mr. Andrews seconds the motion; Approved 4-0**

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

**Mr. Andrews motions to delegate tie-breaking vote to Director; Ms. Gifford seconds the motion; Approved 4-0**

**2. ADMINISTRATIVE MATTERS**

**A. INFORMAL CONFERENCES**

**B. HEARING OFFICER DECISIONS**

**C. SETTLEMENT AGREEMENT**

**D. VOLUNTARY RELINQUISHMENT OF LICENSE**

**E. REQUEST FORMAL HEARING**

**F. SUSPENSION**

**1. 05/06-3958 China Sea Restaurant; Andre D. & Chun Young Shin; located at Lot 6 & 7 Whittier Harbor Triangle in Whittier in an Unorganized Area; restaurant/eating place public convenience - license.**

Board consideration of suspension.

**Attachment 2F-1**

**Mr. Andrews motions to postpone until next meeting; Ms. Gifford seconds the motion; Approved 5-0**

2. 06/07-790 **Nugget Restaurant**; JD & PR Colton and JP & TE Colton; located at 600 Airport Rd in Sitka; beverage dispensary license.

Board consideration of suspension.

**Attachment 2F-2**

**Postponed until next meeting – licensee not available.**

**3. 06/07-746 Loyal Order of Moose #1206;** Craig Lodge #1206; located at 601 Water Street in Craig; club license.

Board consideration of suspension.

**Attachment 2F-3**

**Mr. Andrews motions to suspend 45 days with 38 days suspended and a \$1000 fine; Ms. Gifford seconds the motion. Discussion.**

**Roll Call vote – Gifford – NO; Andrews – YES; Gordon – YES; Niemi – YES; Tull – YES – Approved 4-1**

**4. 07/08-3538 Carlos' Fine Mexican Restaurant;** Carlo's Fine Mexican Restaurant Inc; located at 11401 Old Seward Hwy in Anchorage; beverage dispensary license.

Board consideration of suspension.

**Attachment 2F-4**

**Ms. Gifford motions to suspend 5 days with \$0 fine; Restaurant to remain open; Ms. Niemi seconds the motion; discussion; (Mr. Tull is not present at this time); Approved 4-0**

5. 06/07-1098 **Sunset Strip**; TKKO Inc.; located at 345 Old Richardson Hwy in Fairbanks; beverage dispensary license.

Board consideration of suspension.

**Postponed until next meeting as requested by council for licensee.**

**Attachment 2F-5**

6. 06/07-3889 **Jamico's Pizzeria**; Benito Herrera; located at 3952 Mountain View Dr in Anchorage; restaurant/eating place license.

Board consideration of suspension.

**Attachment 2F-6**

**Ms. Gifford motions to suspend 45 days with 38 days suspended (restaurant to be fully closed); Mr. Andrews seconds the motion; (Mr. Tull is not present); discussion; Mr. Gordon objects to motion; Ms. Niemi objects to motion; Mr. Andrews votes yes; Ms. Gifford votes yes; Mr. Griffin breaks tie by voting yes.**

**Approved 3-2**

## **G. BOARD CONSIDERATION**

- 1. 07/08-4507 Trio Restaurant; Y and Y LLC; located at 1235 Airport Way Ste #1 in Fairbanks; beverage dispensary license.**

Petition to lift restriction placed on license 11/22/05, prohibiting Yong Yi from being a member/manager in the LLC (licensee) and being present on the licensed premise. **Attachment 2G-1**

**Mr. Andrews motions to go into Executive Session; Ms. Gifford seconds the motion; Approved 5-0; Ms. Gifford motions to go out of Executive Session; Mr. Andrews seconds the motion; Approved 5-0; discussion; Ms. Gifford motions to deny request; Mr. Tull seconds the motion; Roll Call – Approved 5-0**

- 3. 07/08-4560 Solstice Bar; Fervid Enterprises, LLC; located at No Premises in Juneau; PROPOSAL to transfer location of a beverage dispensary license to 429 W Willoughby Ave.**

No application before the Board at this time.

**Attachment 2G-3**

**Ms. Niemi makes motion that if the CBJ approves, and a letter of non-objection from the Salvation Army is received, then the Board would allow a complete application to be approved (all other approvals in place); Mr. Gordon seconds the motion; discussion; Roll Call – 5-0 Approved**

- 4. 2007 Regulations  
Discussed by Director in Director Briefing**

**Attachment 2G-4**

**2. 06/07-4549 Snug Harbor Liquor;** Snug Harbor LLC; located at 1/8 Wilson Rd in Gustavus; **new** package store license in Gustavus; backgrounds not complete.

On November 29, 2006, the ABC Board ruled that the City of Gustavus' protest of this license was "arbitrary, capricious, and unreasonable". The City of Gustavus requests that the Board reconsider this decision. **Attachment 2G-2**

**Mayor Marchbanks; Vice Mayor Howell; Merrill Louden (Attorney for Snug Harbor LLC); Colleen Stansbury (Rep for Snug Harbor LLC); many members of the City of Gustavus spoke on this item.**

**Mr. Tull motions to uphold the Boards' previous ruling and to deny the request to reconsider; Mr. Andrews seconds the motion; Roll Call – Mr. Tull – YES; Mr. Andrews - YES; Ms. Niemi - YES; Mr. Gordon - NO; Ms. Gifford - NO; Approved 3-2**



**3. CONSENT AGENDA - Ms. Gifford motions to approve; Mr. Andrews seconds motion; Roll Call Approved – 5-0**

**A.** 07/084684 **Happy Valley Bar & Cafe;** Happy Valley Bar & Café Inc.; located at 24175 Sterling Hwy in Kenai Peninsula Borough; **transfer of ownership** of a package store license from 24185 Sterling Hwy .

All statutory requirements have been met. City of Petersburg does not protest. Temporary approval issued 1/29/07.

**4. DELEGATION CONSENT AGENDA – Mr. Andrews motions to approve; Ms. Gifford seconds motion; Roll Call – Approved 5-0**

**A. 06/07-3811 3 Amigos Restaurant, The;** Richard Solis; located at 11 North 2<sup>nd</sup> St in Unalaska; **transfer of ownership** of a restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. City of Unalaska does not protest. Temporary approval issued 1/3/07.

**B. 07/08-4235 Anchorage Golf Course;** Alyeska Resort Management Company; located at 3651 O'Malley Rd in Anchorage; **transfer of ownership** of a golf course license; from Anchorage Golf Course LLC; backgrounds not complete.

AND

06/07-3445 **Hotel Alyeska;** Alyeska Resort Management Company; located at 1000 Arlberg Ave in Anchorage; **transfer of ownership** of a beverage dispensary – tourism license; from Seibu Alaska Inc., d.b.a. Alyeska Prince Hotel; backgrounds not complete.

AND

06/07-3449 **Hotel Alyeska;** Alyeska Resort Management Company; located at 1000 Arlberg Ave in Anchorage; **transfer of ownership** of a beverage dispensary – tourism duplicate license; from Seibu Alaska Inc., d.b.a. Alyeska Prince Hotel-Seven Glaciers Lounge; backgrounds not complete.

AND

07/08-2696 **O'Malley's On the Green;** Alyeska Resort Management Company; located at 3651 O'Malley Rd in Anchorage; **transfer of ownership** of a beverage dispensary license; from Seibu Alaska Inc.; backgrounds not complete.

AND

06/07-3446 **Seven Glacier Lounge;** Alyeska Resort Management Company; located at 1000 Arlberg Ave in Anchorage; **transfer of ownership** of a beverage dispensary – tourism duplicate license; from Seibu Alaska Inc., d.b.a. Alyeska Prince Hotel-Seven Glaciers Lounge; backgrounds not complete.

AND

06/07-3447 **Sitzmark Bar and Grill;** Alyeska Resort Management Company; located at 1000 Olympic Ave in Anchorage; **transfer of ownership** of a beverage dispensary – tourism duplicate license; from Seibu Alaska Inc., d.b.a. Sitzmark Bar & Grill; backgrounds not complete.

All statutory requirements have *not* been met (Dept. of Labor has not finalized – in contact). Municipality of Anchorage does not protest.

**C. 07/08--4683 Café Polonia;** Robert Burlinski & Iwona Zaijtz; located at 351 Muldoon Rd 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 2/10/07

**D.** 07/08-212 **Channel LLC, The;** Channel LLC, The; located at 2906 Halibut Point Rd in Sitka; **transfer of ownership** of a beverage dispensary license; from Channel Club Inc., d.b.a. Channel Club; backgrounds not complete.

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

**E.** 07/08-4667 **City Diner;** Time to Eat LLC; located at 2902 Minnesota Dr 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 1/11/07.

**F.** 06/07-4255 **Dimond Bar-B-Q Pit;** Chung H. Kang; located at 1160 W Dimond Blvd in Anchorage; **transfer of location** of a club license, 149 4<sup>th</sup> Ave; backgrounds complete.

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

**G** 06/07-2147 **Duck Inn, The;** Rosin Investments Inc.; located at 305 N Willow in Kenai; **transfer of ownership** of a beverage dispensary – tourism license from Corey Inc., backgrounds not complete.

**AND**

06/07-2993 **Upper Deck;** Rosin Investments Inc.; located at 43187 K-Beach Rd in Kenai Peninsula Borough; **transfer of ownership** of a beverage dispensary – tourism license from Corey Inc., backgrounds not complete.

All statutory requirements have been met. Kenai Peninsula Borough and City of Kenai do not protest. Temporary approvals issued 1/29/07.

**H.** 06/07-4675 **Edgewater Grill;** Edgewater Grill; located at 143 N Harbor Dr in Valdez; **transfer of ownership, location change, & name change** of a beverage dispensary license; backgrounds not complete.

All statutory requirements have been met. City of Valdez does not protest. Temporary approval issued 12/18/06.

**I.** 07/08-4678 **Fairbanks Ice Dogs;** Fairbanks Junior Ice Dogs Inc.; located at 1920 Lathrop St in Fairbanks North Star Borough; **new** recreational site license; backgrounds not complete.

All statutory requirements have been met. City of Fairbanks does not protest. Temporary approval issued 1/26/07.

**J.** 06/07-4106 **Fireweed Restaurant;** Fireweed Forest, LLC; located at Historic Bldg #37 Blacksmith Rd in Haines Borough; **transfer of ownership** of a restaurant/eating place license; backgrounds not complete.

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

**K.** 06/07-1557 **Galley, The;** Fernando & Mary Nicolas; located at 2334 Tongass Ave in Ketchikan; **transfer of ownership** of a restaurant/eating place license; background not complete.

All statutory requirements have **not** been met (Dept of Labor has not responded). City of Ketchikan has not responded.

**L.** 06/07-4682 **Howard Johnson Plaza Hotel**; Brisam Anchorage, LLC; located at 239 W 4<sup>th</sup> Ave in Anchorage; **new** beverage dispensary – tourism license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued 12/14/06.

**M.** 07/08-567 **Jack's Liquor Store**; Jack's Liquor & Service Inc.; located at 1544 Richardson Hwy in Delta Junction; **transfer of ownership & name change** of a package store license from Jack G. Adams, located at Mile 266 Richardson Hwy; backgrounds not complete.

All statutory requirements have been met. Delta Junction has not responded. Sixty days have not lapsed, however, based on past history, it is unlikely that the City of Delta Junction will not respond within the 60-day period, but based on conversation with City Clerk, a protest is not expected.

**N.** 07/08-2652 **Juan Ricardos'**; Nina J. Corbett; located at 1655 Kanakanak Rd in Dillingham; **transfer of ownership, location & name change** of a restaurant/eating place license from Shirley Murphy Brannon, located at Mile 1.2 Windmill Hill Rd, d.b.a. Murphy's Ricardo's of Dillingham, backgrounds not complete.

**O.** 07/08-4688 **Kansha Japanese Restaurant**; Kansha Inc.; located at 209 E Dimond Blvd 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 1/25/07.

**P.** 06/07-710 **Mecca Bar**; JRB, Inc.; located at 549 2<sup>nd</sup> Ave in Fairbanks; **transfer of ownership** of a beverage dispensary license; backgrounds not complete.

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

**PP.** 07/08-832 **Monderosa Bar & Grill**; Nicholas J. Monroe; Mile 309 Parks Hwy in an Unorganized Borough; **transfer of ownership & name change** of a beverage dispensary license from Nick & Carol Monroe, d.b.a. Monroe's Monderosa; backgrounds not complete.

AND

07/08-832 **Monderosa Bar & Grill**; Nicholas J. Monroe; Mile 309 Parks Hwy in an Unorganized Borough; **transfer of ownership & name change** of a package store license from Nick & Carol Monroe, d.b.a. Monroe's Monderosa; backgrounds not complete.

All statutory requirements have *not* been met (Dept. of Labor has not responded). No local governing body.

**Q.** 07/08-4614 **O'Brady's Burgers & Brew #2**; Maurice B. MacDonald Jr.; located at 1501 Huffman in Anchorage; **transfer of location** of a beverage dispensary license from 6901 E Tudor Rd; backgrounds not complete (renewal rcvd).

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued December 1, 2006.

**R.** 06/07-885 **Pizza Mill**; LAM Corporation; located at 808 Water St in Ketchikan; **transfer of ownership** of a restaurant/eating place license from Robyn Moulton; backgrounds not complete.

All statutory requirements have been met. City of Ketchikan has not responded (notice sent 10/16/06).

**S.** 07/08-4074 **Point MacKenzie General Store**; JA Wendt LLC; located at 22481 Point Mackenzie Rd in MatSu Borough; **transfer of ownership** of a restaurant/eating place license from Marie & Collin Towse; backgrounds not complete.

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

**T.** 06/07-4681 **Que Onda**; Mark Sackett; located at 210 Front St in Nome; **transfer of ownership, location, & name change** of a beverage dispensary license from Michels Business Ventures, LLC, d.b.a. Fort Davis Roadhouse, located 1.25 Mile Nome-Council Hwy.

All statutory requirements have *not* been met (State Fire Marshal & DEC have not responded) City of Nome has not responded. (notice sent November 20, 2006.)

**U.** 07/08-780 **Refinery Lounge, The**; Red Pants, Inc.; located at 6<sup>th</sup> & Old Richardson Hwy in North Pole; **transfer of ownership** of a restaurant/eating place license from 3 F's Corporation; backgrounds not complete.

All statutory requirements have been met. Fairbanks does not protest. Temporary approval issued 2/16/07.

**V.** 07/08-1443 **Sheraton Anchorage Hotel**; Ashford TRS Nickel LLC; located at 401 E 6<sup>th</sup> Ave in Anchorage; **transfer of ownership** of a beverage dispensary – tourism license from MIP Lesee, LP; backgrounds not complete (renewal rcvd).

All statutory requirements have *not* been met (Dept. of Labor has not responded, but is working with parties to clear transfer). Municipality of Anchorage does not protest.

**W.** 06/07-4662 **Suite 100**; Van Abel, Inc.; located at 1000 E Dimond Blvd Ste 100 in Anchorage; **transfer of ownership, location & name change** of a beverage dispensary license from Black Angus Meat Market Inc., located at 1101 W Fireweed Ln, d.b.a. Black Angus Meat Market; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued 2/12/07.

**X.** 07/08-4685 **Sushi King**; Sushi King II Inc.; located at 639 W International Airport Rd #1A 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 1/25/07.

**Y.** 06/07-4692 **Tempura Kitchen**; Tempura Kitchen LLC; located at 3826 Spenard Rd in Anchorage; **transfer of ownership, location, & name change** of a beverage dispensary license; from Chong & Woodrow Sanders, located at 3313 Spenard Rd, d.b.a. Anna's Place; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued 1/25/07.

**Z.** 07/08-3687 **Thai House Restaurant;** Chalermpon Boonprasert; located at 412 5<sup>th</sup> Ave in Fairbanks; **transfer of location** of a restaurant/eating place license; from 525 5<sup>th</sup> Ave; backgrounds not complete (renewal rcvd).

All statutory requirements have *not* been met (Dept. of Labor & DEC have not responded). City of Fairbanks has not responded.

**AA.** 06/07-2099 **Wok Express;** Young OK Kong; located at 1921 W Dimond Blvd #106 in Anchorage; **transfer of ownership & name change** of a restaurant/eating place license; from Young Kil & Pok Sil Choe, d.b.a. La Scala; backgrounds not complete.

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

**AB.** 07/08-4689 **Yard Arm, The;** Hotel Edgewater LLC; located at 200 5<sup>th</sup> Ave in Seward; **new** beverage dispensary - tourism license; backgrounds not complete.

All statutory requirements have been met. City of Seward has given vocal “non-protest” via telephone within 60-day period.

#### **END DELEGATION CONSENT AGENDA**

5. **PROTESTS**

6. **OTHER FILINGS**

A. 06/07-1946 **Red Robin**; Regency Management, Inc.; located at No Premises in MatSu Borough; beverage dispensary license.

Waiver 4<sup>th</sup> request 2006 Fees Paid **Attachment 6A**  
**Ms. Gifford motions to postpone until the next meeting; Mr. Andrews seconds the motion; Roll Call – Approved 5-0**

7. **BACKGROUND INFORMATION**

A. 06/07-410 **Forks Roadhouse, The**; Go TNT Inc.; located at Mile 18.7 Petersville Rd in MatSu Borough; **transfer of ownership** of a beverage dispensary license; backgrounds not complete.

All statutory requirements have *not* been met (Dept. of Labor has not responded). MatSu Borough does not protest.

Background information on President & 45% shareholder, Tamara Gillespie. **Attachment 7A**

**Mr. Andrews motions to go into Executive Session; Ms. Gifford seconds the motion; Roll Call – 5-0 Approved**

8. **MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS**

Date of next meeting: **April 18, 2007**

Location of next meeting: **Anchorage**

## ADDENDUM

### 3. CONSENT AGENDA (Cont.) (Approved as Consent Agenda)

**B.** 06/07-4686 **Alpine Garden Grill**; AGG Investments, Inc.; located at 259 S McCallister Dr in MatSu Borough; **transfer of ownership, location & name change** of a beverage dispensary license; backgrounds complete.

All statutory requirements have been met. MatSu Borough has not responded. (notice sent 12/13/06).

### 6. OTHER FILINGS (Cont.) (Approved as Consent Agenda)

**B.** 06/07-4541 **Kalidipa Inc.**; Kalidipa Inc.; located at No Premises in Kenai Peninsula Borough; beverage dispensary license.

Waiver	1 <sup>st</sup> request	2006	Fees Paid	<u><b>Attachment 6B</b></u>
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