

Department of Commerce, Community, and Economic Development

ALCOHOL AND MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

MEMORANDUM

TO: Bob Klein, Chair, and Members of the

Alcoholic Beverage Control Board

DATE: February 19, 2019

FROM: Erika McConnell, Director RE: 975 Moosequito's Bar

Requested Action:

License renewal

Statutory Authority:

AS 04.06.090(b): "The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend

licenses and permits authorized under this title."

AS 04.11.470: "A person may object to an application for issuance, renewal, transfer of location, or transfer to another person of a license, or for issuance of a permit, by serving upon the applicant and the board the reasons for the objection. The board shall consider the objections and testimony received at a hearing conducted under AS 04.11.510(b)(2) when it considers the application..."

AS 04.11.510(b)(2): "The board may review an application for the issuance, renewal, transfer of location, or transfer to another person of a license without affording the applicant notice or hearing, except...(2) the board may, on its own initiative or in response to an objection or protest, hold a hearing to ascertain the reaction of the public or a local governing body to an application if a hearing is not required under this subsection;"

Staff Rec.: Hold a public hearing; approve the renewal with a condition

Background: Multiple individuals who live near this beverage dispensary licensee in Sterling have objected to the license renewal on the grounds that there is excessive noise and disturbance coming from the bar. Three objection letters are attached along with a petition and the 2018 reports of the Alaska State Troopers. The Kenai Peninsula Borough does not protest the renewal. The borough has no applicable noise ordinances.

AS 04.11.395 states, "The board may, in the best interests of the public, impose conditions or restrictions on a license or permit issued under this chapter."

I recommend that the board renew this license with the following condition: "Outdoor speakers or speakers intended to broadcast music outside of the building at Mile 82, Sterling Highway, shall not

975 Moosequito's Bar ABC Board February 19, 2019 Page 2

be used between 10:00 pm and the following10:00 am, Sundays through Thursdays, and between midnight and the following 10:00 am, Fridays and Saturdays."

A temporary license was issued on January 10, 2019.

Attachment: Objections

Renewal application

From: Home 7/29/2017

To: CED AMCO Enforcement (CED sponsored)
Subject: Moosequitos Bar in Sterling problem
Date: Monday, November 12, 2018 4:04:53 PM

Attachments: Petition.pdf

Moosequitos Bar Letter- Lorentzen.docx Moosequitos Complaint Letter-Nikki.doc Moosequitos Bar Case Reports.pdf

Greetings to the AMCO Enforcement Staff;

Reading of some of your current workload, I apologize for adding to it. As a great grandparent; I am disgusted that we ever voted to legalize marijuana.

We, here in Sterling are very, very upset with the noise and disturbances coming from Moosequito's Bar at mile 82 of the Sterling Highway.

Prior to last year's open-heart surgery, I was on the Kenai Borough Assembly. With that in mind, a neighbor called to ask what we might do about the noise, etc. coming from Moosequito's Bar. I said I would call the Alcohol & Marijuana Control Office and ask. I did and the idea of putting a petition together and sending it to you folks at the Enforcement Branch developed.

Accordingly, I have attached the petition. Petitioners range from families with children to retired individuals to a popular lodge at the junction of the Moose and Kenai Rivers. Petitioners are located from across the Moose River to a half mile up-river. We have a lot of swans on the river, but they all stay ½ to ¾ mile up river.

The Lorentzens have young children. My wife and I live a quarter mile up-river from Moosequitos. The Lorentzens live a little north of us. The Lorentzen's have tried in vain for years to get Moosequitos to quiet down. Moosequitos response to them has been typical for all of us. Their letter is attached.

One neighbor called Moosequitos in the middle of this past July, politely asking them to turn off the outside speakers. They did for about 15 minutes. About a half hour later, with the noise back on, our neighbor called again. Moosequitos turned off the outside speaker for another 15 minutes and them back on. This sequence of call-speakers-off-for-15-minutes-and-back-on for-a-half-hour continued until our neighbors went to bed late that evening. It was 5:00AM the next morning before the speakers went off!

Some of the neighbors have to wear ear plugs to sleep. May I say it kindly but sincerely; the neighborhood is getting very pissed off at Moosequitos.

In my wife's (Nikki) attached letter, she speaks to our buying our current location here on the Moose River because the facilities would work for a B&B such as she ran in Homer before our coming to Sterling in 2012.

The importance of being able to do a B&B took on a new significance in the last three years. I've had major surgeries over the past three years including cancer, radiation, emergency colon surgery, open heart surgery and Colorectal Surgery. During these three years of major medical issues, I've had to put up with the crap from Moosequitos all during recovery. It doesn't matter to Moosequitos whether the temperature is 70°F or -20°F, rain, sunshine or

snow, the noise continues. Calls were always meant with sarcasm or rudeness or both.

I've also attached Alaska State Patrol's reports for 2018. Through October 2018, the police have been called in 12 times in 10 months. We know of a grill theft, a big brawl and two occasions of fireworks at about 2:00AM in the morning that apparently weren't reported. One neighbor while visiting Moosequitos to complain, watched a drug deal go down in the parking lot.

Please, shut them down. They are and insist on being a big pain in the butt in the neighborhood. A friend of one neighbor said "buy me a beer and I'll go pull the speaker wires." A retired school principle, knowing all the kid's tricks, has proposed super-gluing the locks. Another neighbor says he has two rifles that will shoot a 3" group at 300 yards, says he knows how to take out the speakers!

Sincerely,

Stan Welles

To Whom It May Concern,

Our family has lived in the Moose River area for just shy of 13 years. During that time, we have made numerous calls to Moosequito's Bar requesting the volume of the music broadcast over their outdoor loudspeakers be turned down. These requests have always been made very late at night – well after midnight – but we have never gotten any acceptable results from our requests. We have been met with indifference at best and sarcasm at worst. There have been warm summer nights when we had to keep our windows shut despite the discomfort in our house in an (unsuccessful) attempt to keep out the noise so our children could sleep. We have endured loud, early morning barfights outside the bar that echoed through the neighborhood. We can often hear every single word of every song until the bar closes down sometime in the morning.

We are very supportive in general of locally owned businesses, but when a business that affects an entire neighborhood refuses to be a good neighbor, we are no longer supportive of that business. We are sorry to protest a local business, but after 13 years of requests, we've realized that this business owner is probably not going to make any changes. We are therefore objecting to the renewal of the liquor license for Moosequito's Bar in Sterling.

Respectfully,

Aaron and Kimberly Lorentzen Moose River Drive Sterling, Alaska

Respectfully:

When we bought our place on the Moose River, it was advertised as having a separate building available to use as a Mother-in-law room and or a B&B room. Since I had had a B&B in Homer, Alaska I thought that would be a nice summer time business to supplement our retirement income.

The plan was to start with just friends and family to see if this idea would work. However, due to the noise coming from Moosequitos Bar, it became very apparent that we would be unable to do this venture. Family members had to wear eat plugs to sleep at night due to the music/noise and others decided not to stay overnight with us. When we made it known to the management of Moosequitos Bar, they said they were a business and we were trying to "hurt" their business practices. However, they in turn were stopping us from having a profitable business.

Needless to say, Moosequitos Bar has not proven to be a good neighbor nor an asset to the community of Sterling. They continue to ignore the request of turning down the outdoor speakers; starting early in the morning and run it late into the night. At times the music has been left on after the management has left for the night.

It seems the only thing we as neighbors can now do is request that the licenses for Moosequitos Bar not be renewed.

Sincerely, Nikki Welles (Mrs.)

Petition to Object to the Renewal of a Liquor License for Moosequito's Bar

Over the span of several years, repeated requests to the staff of Moosequito's Bar to turn down the outdoor speakers have been met with dismissal and sometimes outright refusal. These speakers blast music into the surrounding residential neighborhood late into the night and early morning. Multiple residents of the area have tried repeatedly to address these concerns directly to the bar's staff and/or management, without acceptable results.

Action Petitioned For: We the undersigned are concerned citizens who urge our leaders to act now to take the appropriate steps to file a protest against the upcoming renewal of Moosequito's Bar's liquor license.

Date	Signature	D. L. LOI		Comment the
2018	May Conell	Mary Cornell	Mailing Address, Email Address, or Phone 808 280 0903	Van Leud and disturbin
68/10/2018	7-ih Cond	JERRY CORNELL	308-264-6701	LOUIS MUSICIT AN ABSOLUTE NUISANCE DAY AND NIGHT P
8.27.2018	Study W. Welles	STAN WELLES	(907) 260 -6769	NOISE NOISE NOISE - DAY + NIGHT FIGHTS - THEST
8-27-2013	nikki Welles	Nikki Welles	907-260-6769	Have called to ask for outdoor speakers to be turned town - Rude Reply
8-29-2018	I Valort	Gerry VAN KON	en 901-202-1486	

Date	Signature	Duinted Name	Ba-ilian Adda-	
		Printed Name	Mailing Address,	Comment Very Obrossous (
4/15/10	Den Blake	Glenn Blake	Email Address, 907-240- or Phone 3156	
17.0/10		Cherry 1-1917	5/1///	Late at night
9/2-1	Maya Rlba	0. 01/	alaska blakes Qyahoo com	The Noise,15
9/15/18	Parge Store	Parge Blake		yearround even in the
//0		1 9		very cold weather
9-15-18 (0111	0 15 6	907-760-5295	It's been a problem for years! In Summer I can't have
1	Daniel of Junk	Daniel Funk	P.O.BOX 2153	In Summer I can't here
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9/21/18	Jahru William	,	STERLIN9 953-898	THEIR IN MY YARD
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				as Exec
		Page 2/4	1.	Dretul

Date	Signature	Printed Name	Mailing Address,	Comment
9/21/18	David F. Selbertson	David K. Gilberts	Email Address, or Phone 907-398-445	Less Evening Noise
	1			
9/21/18	En Gutterter	Eric Gilbertson	907-252-1034	Noise
9/24/18	Kathleen Haley	Kathleen A. Haley	907-394-1772	naise during late
9/24/18	John M. Hisley	John M Haley	907-394-1773	Takes away quality of
9/30/18	Paul & Brien	Kniet J- Baleron	907-112 1939	Noise
10/0/	Chieko Brown	CHIEKO BROWN		noise
10-3-2018	Jost Telle	Joseph Turnham	530-925-0693	Moise late at night
10/13/18	Carmoldeds	Unristine Ermold		Noise after 10 pm is disruptive

Date	Signature	Printed Name	Mailing Address,	Comment	1.
Date	Signature 1		Email Address,	Be a respectfo	W
10/13/18	Hamile Cellel	Robert Ermold, Nr	or Phone 907260582Z	neighbor & Moni	for you
10/21/18	Mullentzen	KIMBERLY	(907) 260-9387	men So disappend reguests have	been
10/21/18	Barbara J. Morgan	-Barbara J. Morga	n barbmorgan 13@yahoo	Sound Travels up Mose Piver- outside speak increase the so	with a nash attinde
10/26/18	Musical	ATARIN LORENTZEN	ak Pyer 74/2 gmail.com	outboor Speakers the poblem. in moic ok. outside too loup!	nside



Department of Public Safety

DIVISION OF ALASKA STATE TROOPERS

E Detachment

46333 Kalifornsky Beach Road Soldotna, Alaska 99669-8295 Main: 907.262.4453 Fax: 907.262.2889

October 31, 2018

Stan Welles 38570 Moose River Drive Sterling, AK 99672

RE: Public Records Request #18323 - AST Contacts with Moosequitos Bar in 2018.

Dear Mr. Welles,

This letter is in response to your request seeking copies of materials/reports regarding the above premise.

Under the authority delegated to me by the Department of Public Safety Commissioner, I am denying portions of your request in order to comply with the *Alaska Victim and Witness Rights Act* (AS 12.61.100 – 12.61.150 and AS 11.41.470(7) and *Alaska Personal Information Protection Act* (AS 45.48.010 – 45.48.900) which prevents disclosure of personally identifying information.

Considering the time the administrative staff spent to research, retrieve, compile, and submit these records was less than five hours, your cost for the records – in accordance with Alaska Statutes 40.25.110 and Alaska Administrative Code 96.350 – does not include a charge for personnel time but is limited to material and delivery costs. Because the total amount is less than \$5.00 this fee is currently being waived.

You may appeal this denial by following the procedures in 2 AAC 96.340. There is no bond requirement for an administrative appeal.

You may also obtain immediate judicial review of this denial by seeking an injunction from the superior court under AS 40.25.125. Choosing not to pursue injunctive relief in superior court will have no adverse effect on your rights before the department.

A copy of 2 AAC 96.335 – 2 AAC 96.350 is enclosed for your reference.

Sincerely,

Maurice I. Hughes

Captain

Alaska Administrative Code

CHAPTER 96 PUBLIC INFORMATION

Article 3 Requests for Public Records

2 AAC 96.335. Denial of request

- (a) A request for a public record that complies with this chapter may be denied only if
 - (1) the record is not known to exist after the public agency makes a diligent search for it;
 - (2) the record is not in the public agency's possession, and after a diligent search the public agency does not know where the record is to be found;
 - (3) the record has been destroyed in accordance with an applicable record-retention schedule;
 - (4) nondisclosure of the record is authorized by a federal law or regulation, or by state law; or
 - (5) the record is believed to be in the agency's possession but has not yet been located, in which case the public agency shall proceed under (f) of this section.
- (b) A request may be denied by the public agency head or by an agency employee to whom denial authority has been delegated by the public agency head.
- (c) An initial denial of a written request must be in writing; must state the reasons for the denial, including any specific legal grounds for the denial; and must be dated and signed by the person issuing the denial. If a request is denied by a public agency employee to whom denial authority has been delegated, the notice of denial must reflect this delegation. A copy of 2 AAC $\underline{96.335}$ 2 AAC $\underline{96.350}$ must be enclosed with the denial.
- (d) A denial of a written request, in whole or in part, must state that
 - (1) the requestor may administratively appeal the denial by complying with the procedures in 2 AAC $\underline{96.340}$;
 - (2) the requestor may obtain immediate judicial review of the denial by seeking an injunction from the superior court under \underline{AS} 40.25.125;
 - (3) an election not to pursue injunctive remedies in superior court shall have no adverse effects on the rights of the requestor before the public agency; and
 - (4) an administrative appeal from a denial of a request for public records requires no appeal bond.

- (e) A denial of a written request is considered to be issued at the time the denial is either delivered to the United States Postal Service for mailing, or hand-delivered to the requestor by an employee or agent of the public agency.
- (f) If a written request is denied because a record has not yet been located and the record is believed to exist in the agency's possession, the office in the public agency responsible for maintaining the record is believed to exist in the agency's possession, the office in the public agency responsible for maintaining the record shall continue to search until the record is located or until it appears that the record does not exist or is not in the public agency's possession. The public agency shall periodically inform the requestor of its progress in searching for the requested record.
- (g) A record that is the subject of a public records request that has been denied shall not be destroyed or transferred from the public agency's custody, except that records may be transferred to state archives and records management services as provided by AS 40.21 and regulations adopted under AS 40.21. A public agency may not destroy or transfer custody of a record to which access has been denied or restricted until at least 60 working days after the requestor is notified in writing that the request has been denied, or if there is an administrative or judicial appeal or other legal action pending at the end of the 60-working-day period, until the requestor has exhausted those actions.

2 AAC 96.340. Appeal from denial; manner of making

- (a) A requestor whose written request for a public record has been denied, in whole or in part, may ask for reconsideration of the denial by submitting a written appeal to the agency head.
- (b) An appeal under (a) of this section must be mailed or hand-delivered to the agency head within 60 working days after the denial is issued and must include the date of the denial and the name and address of the person issuing the denial. The appeal must also identify the records to which access was denied and which are the subject of the appeal. If an appeal is from the failure of the agency to respond to the records request within the appropriate time limit under 2 AAC 96.325, the appeal must so state, must identify the records sought, and must identify the public agency to which the request was directed and the date of the request.
- (c) The 60 working days within which an appeal must be filed begins to run upon the issuance of the denial or, if no denial is issued, upon the expiration of the time period within which the public agency should have responded.

2 AAC 96.345. Appeal determinations; tîme allowed; by whom made

- (a) As soon as practicable, but not later than the 10th working day after the close of the record on appeal, the agency head shall issue a written determination stating which of the records that are the subject of the appeal will be disclosed and which records will not be disclosed. The written determination must comply with 2 AAC $\underline{96.350}$.
- (b) The agency head may extend the 10-working-day period for a period not to exceed 30 working days upon written request from the requestor, or by sending a written notice to the requestor within the basic 10-working-day period.

(c) The agency head may delegate authority and duties under (a) and (b) of this section to a full-time employee of the public agency not involved in the denial and not subordinate to the employee responsible for the denial. The employee delegated this authority may not subdelegate to another employee.

2 AAC 96.350. Contents of determination denying appeal

A determination under 2 AAC $\underline{96.345}$ responding to an appeal must be in writing, must specify the specific statute, regulation, or court decision that is the basis for the denial, and must state briefly the reason for the denial. A denial under this section is the final agency decision. A denial must further state that, as provided by \underline{AS} $\underline{40.25.124}$, the requestor may obtain judicial review of the denial by appealing the denial to the superior court.



Incident Report

Incident: AK18012595

Incident Type:

Suspicious Circumstances [SUSP]

Incident time:

02/22/2018 22:58 -

Reported time:

02/22/2018 22:58

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed non-criminal

Summary:

CFS 5215 Tammy Markham reports a suspicious person in dark clothing

walking outside of the bar. *** Contacted a male in the area who identified himself as Robert Simons. He was dressed in cold weather gear and wasnt

reported to have committed any crimes.

Incident Activities/Offenses

Suspicious Circumstances

Involved Persons/Organizations

MARKHAM, TAMMY LYNN

Classification: Complainant

Gender:

Female

SIMONS, ROBERT WILEY

Classification: Mentioned in report

Gender:

Male

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Involved Addresses

 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

Involved Officers

- Reporting unit / #SOLE AST SOLDOTNA POST / DPS
- Reporting officer / #AMS4 SONDERGAARD, ANTHONY M / DPS

Reports

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Alaska Department of Public Safety Incident Report

Incident: AK18013046

Incident Type:

REDDI Report [REDI]

Incident time:

02/24/2018 23:39 -

Reported time:

02/24/2018 23:39

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed non-criminal

Summary:

CFS 5731 ANON C REPORTS A POSSIBLY INTOX MALE DRIVING TO THE BAR

***AST was unable to contact the described vehicle

Incident Activities/Offenses

REDDI - Report Every Dangerous Driver Immediately

Involved Persons/Organizations

Classification: Driver

Gender:

Involved Vehicles

 Involved in Traffic Contact / Chevrolet 2003 VIN-Colors

/ [Truck, van: Pickup] AK

involved Addresses

 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

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Involved Officers

- Reporting unit / #SOLE AST SOLDOTNA POST / DPS
- Reporting officer / #JWK2 KING, JOHN W / DPS

Reports

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Incident Report

Incident: AK18027483

Incident Type:

Civil Issue [CIVL]

Incident time:

04/25/2018 16:10 -

Reported time:

04/25/2018 16:10

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed non-criminal

Summary:

CFS 5612 CIVIL. I spoke with the complainant, Daniel Koval who stated that him and his girlfriend just broke up and she has been selling some of his items out of their house. Koval said that he is worried about her coming to his parents business (Moosquitos Bar). While I was on the phone with him, his exgirlfriend Krystal Hart arrived at Moosquitos and was yelling at him. He said that she knocked his hat off his head and brushed his face with her fingers however he was not injured. While I was still on the phone with Koval, Hart left traveling northbound. Koval said he wanted her trespassed from 33590 Sterling Highway. I attempted to contact Hart via telephone however there was no answer so I left a message. A locate has been placed in APSIN that Hart

needs to be advised of the trespass.

Incident Activities/Offenses

Suspicious Circumstances

Involved Persons/Organizations

HART, KRYSTAL NICHOLE

Classification: Mentioned in report

Gender: Female

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KOVAL, DANIEL PAUL

Classification: Complainant

Gender: Male

Involved Addresses

• 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

Involved Officers

- Reporting unit / #SOLE AST SOLDOTNA POST / DPS
- Reporting officer / #JES2 STEWART, JUSTINE ELIZABETH / DPS

Reports

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Incident Report

Incident: AK18032687

Incident Type:

Assist Public [PASS]

Incident time:

05/16/2018 13:37 -

Reported time:

05/16/2018 13:37

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed non-criminal

Summary:

CFS 3945 / C REQUESTING OPTIONS REGARDING PEOPLE PARKING ON

PRIVATE PROPERTY advised options and the issues are civil at this point.

Incident Activities/Offenses

Civil Problem

Involved Persons/Organizations

GATTENBY, CHRISTINE

Classification: Owner

Gender:

Female

GATTENBY, JAMES HICKMAN

Classification: Owner

Gender:

Male

KOVAL, DANIEL PAUL

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Classification: Complainant

Gender:

Male

Involved Vehicles

Abandoned / JRC Custom Trailers, Inc. FLATBED 2010 VIN:

'[Trailer] AK Reg

Colors: Black / Black

Involved Addresses

• 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

Involved Officers

- Reporting unit / #SOLE AST SOLDOTNA POST / DPS
- Reporting officer / #DML0 LORRING, DAVID M / DPS

Reports

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Incident Report

Incident: AK18039048

Incident Type:

Theft [THEF]

Incident time:

06/09/2018 10:11 -

Reported time:

06/09/2018 10:11

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed by investigation

Summary:

On 6/19/2018 at approximately 1011 hours, Soldotna Dispatch received a call from Kelly Self the owner of AK Tobacco and Juice, reporting someone broke into her business and stole money and cigarettes. Approximately \$900 worth of cash and murchandise were stolen from the shop. There are currently no

suspects or leads at this time.

Incident Activities/Offenses

AS11.46.130(a)(1) - Theft 2nd - \$750 -\$24999

 Burglary - AS11.46.310 - Burg 2nd - Enters Building Unlawfully Using Force or Remains w/ Intent to Commit Crime

Involved Persons/Organizations

SELF, KELLY MARIE

Classification: Complainant; Victim

Gender:

Female

WALDRIP, BRIAR JAMES

Classification: Complainant

Gender:

Male

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Involved Property

- P18018322 / Machinery/tools: Other / Evidence / Other [CROW BAR PRY BAR]
- P18018325 / Personal: Cigarette lighter, holder or case / Evidence / Cigarette lighter, holder or case MARLBORO
- P18019697 / Audio recording: CD/DVD/Blu-ray / Evidence / CD/DVD/Blu-ray PHOTOS LATENT PRINTS
- P18019960 / U.S. currency: Cash / Stolen / Cash
- P18019962 / Personal: Cigarette lighter, holder or case / Stolen / Cigarette lighter, holder or case

Involved Addresses

 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

Involved Officers

- Reporting unit / #SOLE AST SOLDOTNA POST / DPS
- Reporting officer / #DML0 LORRING, DAVID M / DPS

Reports

General report

Author:

#DML0 LORRING, D.

Report time:

06/09/2018 15:32

Narrative:

On 6/19/2018 at approximately 1011 hours, Soldotna Dispatch received a call from Kelly Self the owner of AK Tobacco and Juice, reporting someone broke into her business and stole money and cigarettes.

Investigation revealed someone used a yellow Crowbar to pry, break into the main door of the shop. Once they made entry they stole approximately \$500 in cash out of the till and stole approximately \$300-400 of Marlboro Red and Special blend cigarettes. I located an unopened box of cigarettes on the floor with a finger print on the box. The box was seized and the crowbar was seized and placed into Soldotna Evidence. The crowbar and pack of cigarettes were placed in the Cyanoacrylate Fuming Chamber. I did not see any fingerprints on the crowbar. I identify multiple fingerprints on the cigarette package. Investigator Webber took photos of the fingerprints. The photos of the fingerprints were sent to the State Crime lab. A supplement will be added with a final Lab result. Photos were placed on the Soldotna Server.

There are no suspects or leads.

Printed: 10/31/2018 13:19 by DRT0



Incident Report

Incident: AK18040336

Incident Type:

Disturbance [DIST]

Incident time:

06/13/2018 19:14 -

Reported time:

06/13/2018 19:14

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed by arrest

Summary:

CFS 3523 - Shaleenah Marion calling to report Jared Leggett smashed the windshield on her vehicle in the parking lot of Moosquitos. AST contacted Marion who reported Leggett had smashed her windshield, and placed her in fear of imminent physical injury. AST subsequently contacted Legget, who acknowledged having confronted Marion as well as her husband, Fields, and hitting the windshield on their vehicle. The windshield on Marions vehicle is estiamated to cost \$300 to replace, and an additional \$100 to clean the

broken glass out of the vehicle.

Incident Activities/Offenses

- AS11.46.484(a)(1) Criminal Mischief 4th Intentionally Damages Private Property \$250 to \$749
- Assault AS11.41.230(a)(3) Assault 4th Recklessly Place Another in Fear of Imminent Physical Injury w/ Words or Conduct

Involved Persons/Organizations

F B

Classification: Mentioned in report

Gender:

Male

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FIELDS, DENNIS S

Classification: Mentioned in report

Gender: Male

LEGGETT, JARED JOHN

Classification: Arrested; Charged;

Suspect

Gender:

Male

LEGGETT, SHAE MARIE

Classification: Mentioned in report

Gender:

Female

MARION, SHALEENAH CHRISTELLE

Classification: Complainant

Gender:

Female

Involved Property

- P18020537 / Audio recording: CD/DVD/Blu-ray / Disposal approved; Evidence / CD/DVD/Blu-ray JWK2 AUDIO
- P18020652 / Audio recording: CD/DVD/Blu-ray / Disposal approved; Evidence / CD/DVD/Blu-ray
 JWK2 AUDIO

Involved Vehicles

Damaged / Chrysler Pacifica (Sport Wagon) 2004 VIN:

/ [Truck, van: Van]

AK Reg olors

olors: Gray / Gray

Other (see remarks) / Ford 2004 VIN

/[Truck, van: Carry-all, SUV] AK Reg

olors: Gray / Gray

Involved Addresses

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 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

Involved Officers

- Reporting unit / #SOLE AST SOLDOTNA POST / DPS
- Reporting officer / #JWK2 KING, JOHN W / DPS

Reports

General report

Author:

#JWK2 KING, J.

Report time:

06/13/2018 19:14

Narrative:

On 6/13/2018 at approximately 1920 hours, I responded to Moosquito's bar in Sterling, where **Shaleenah Marion**, reported she had been threatened by **Jared Leggett**, who subsequently broke her windshield with his fist.

Upon my arrival, I contacted Shaleenah, and she said, in essence, Jared was upset about a dispute from the previous summer regarding employment and money owed. Shaleenah said Jared's wife, **Shae**Leggett, works at Moosquitos and had left approximately 10 minutes prior to Jared's arrival. Shaleenah said Jared arrived and approached her vechile, at which time she closed her window and locked her door because he is a large man and she was afraid he was going to hurt her. She indicated when Jared reached her vehicle, he swung his left hand at her windshield, striking it once, and causing it to break. Shaleenah said when Jared struck her windshield he said "I'm gonna fucking kill you!" Shaleenah she called 911, and Jared walked back to his pickup truck and left. I saw there was a large broken area on the driver's side of the windshield of Shaleenah's minivan. Her minivan was a gray Chrysler Pacifica bearing Alaska License number . Shaleenah indicated, multiple times, that she was afraid because Leggett is very large, she is small, and she had her son, B , in the vehicle with her. Additionally, she indicated that she knows Leggett is "very violent" based on her past experience with him.

Shaleenah told me after Jared struck her windshield he walked back to his truck and began to drive away, at which point she got out of her vehicle to take a picture of his license plate.

Shaleenah explained that the dispute was all due to Jared believing he was owed money from the prior summer when she and her husband, **Dennis Fields**, fired him. She said "Why attack me on it when all I do is the damn books for the frickin' job. Like, that's it. You got a problem with my husband, go deal with him".

Sgt Hershberger arrived on scene while I was speaking with Shaleenah.

I took photographs of Shaleenah's vehicle. I estimated the cost to replace her windshield as between \$300 and \$400.

Sgt Hershberger and I responded to Jared's residence

Upon our arrival, Jared was outside, sitting near a shed, drinking a beer. I spoke with him and asked him to tell me his side of what happened. Jared said "Well, starts, he owes me money, that's why I went over to talk to him". I asked him to clarify who he was talking about, and he gave the name "JJ", then said it was Dennis, Shaleenah's husband, and he was there during the incident, but would not talk to him. Jared

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Page: 3 of 4

indicated when Denis would not talk with him, he "backhanded" their vehicle, and did not mean to hit it that hard. I saw Jared did not have any marks or cuts on his hands. Jared said "I shouldn't a done that, but I been tryin' to talk to this guy for a year and he refuses to talk to me."

I called Shaleenah and asked where Dennis was when the incident occurred. She indicated he was present in the vehicle with her. I asked why he left prior to my arrival and she indicated it was because he was afraid to be contacted by AST and he believed he has an arrest warrant.

I placed Jared under arrest for Assault in the 4th Degree (fear assault) and Criminal Mischief in the 4th Degree, and transported him to Wildwood Pretrial for remand.

On 6/18/2018, I received a voicemail from Shaleenah saying she received a quote from Nick's autoglass for \$300 to install the windshield, and \$100 extra to clean any broken glass out of the vehicle.

During followup with Moosquitos bar, I learned there was no video surveillance of this incident available.

My notes have been scanned and uploaded into ARMS.

My photos have been uploaded into the AST Soldotna Photo Server.

My audio has been burned to CD and submitted into evidence.

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Incident Report

Incident: AK18040918

Incident Type:

Assist Public [PASS]

Incident time:

06/15/2018 15:50 -

Reported time:

06/15/2018 15:50

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed non-criminal

Summary:

CAD 3990 AT 1550 HOURS. PUBLIC ASSIST had questions about towing

vehicles from private property and how long he had to wait before he towed

the vehicle. Beck is with ACE towing. Advised options.

Incident Activities/Offenses

Public Assist

Involved Persons/Organizations

BECK, IRA LEE MORRIS

Classification: Complainant

Gender:

Male

Involved Addresses

• 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

Involved Officers

Reporting unit / #SOLE AST SOLDOTNA POST / DPS

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Reports

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Incident Report

Incident: AK18041647

Incident Type:

Disturbance [DIST]

Incident time:

06/18/2018 17:10 - 07/23/2018 10:19

Reported time:

06/18/2018 17:10

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed non-criminal

Summary:

CFS 4861 AT 1710 HRS SHALEENAH MARION REPORTS DISTURBANCE BY SHAE LEGGETT TOWARDS HER. Shaleenah Morion reported that Shae Leggett a clerk

at the Moosequitos Bar yelled at her and made her leave when she was purchasing cigarettes and beer. Morion stated Leggett is mad at her because Leggett's husband got arrested recently for harassing her. Morion wanted it

on record and made a complaint with the businesses owner.

Incident Activities/Offenses

Disturbance - Other

Involved Persons/Organizations

LEGGETT, SHAE MARIE

Classification: Mentioned in report

Gender:

Female

MARION, SHALEENAH CHRISTELLE

Classification: Complainant

Gender:

Female

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Involved Addresses

• 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

Involved Officers

- Reporting unit / #SOLE AST SOLDOTNA POST / DPS
- Reporting officer / #MLS1 SALINAS, MAURIZIO L / DPS

Reports

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Incident Report

Incident: AK18044452

Incident Type:

Miscellaneous [MISC]

incident time:

06/28/2018 22:23 -

Reported time:

06/28/2018 22:23

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed non-criminal

Summary:

CFS 7640 NOISE COMPLAINT ABOUT THE MUSIC AT MOOSEQUITOS. ***AST -

No noise observed upon patrol of the area.

Incident Activities/Offenses

Patrol Request

Involved Persons/Organizations

OLSON, LARRY ARLEN

Classification: Complainant

Gender:

Male

Involved Addresses

• 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

Involved Officers

- Reporting unit / #SOLE AST SOLDOTNA POST / DPS
- Reporting officer / #JWK2 KING, JOHN W / DPS

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Reports

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Incident Report

Incident: AK18050656

Incident Type:

Abandoned Vehicle [ABVE]

Incident time:

07/19/2018 15:30 -

Reported time:

07/19/2018 15:30

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed non-criminal

Summary:

On 7/19/18 at approximately 1530 hours, Soldotna AST received a call from Daniel Koval an employee at Mosquitos Bar. He called to report a 2008 Toyota Tundra that was left in the Mosquitos Bar parking lot. Trp. Norwood and I gave Koval a call back via cellphone and he informed us that someone came and

moved the Toyota that was left.

Incident Activities/Offenses

Abandoned Vehicle

Involved Persons/Organizations

IRMEN, ASHLEY ELIZABETH

Classification: Owner

Gender:

Female

KOVAL, DANIEL PAUL

Classification: Complainant

Gender:

Male

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Involved Vehicles

 Abandoned / Toyota Tundra 2008 VIN (Called in as REDDI) Colors: Black / Black

/ [Truck, van: Pickup] AK Reg

Involved Addresses

 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

Involved Officers

- Reporting unit / #SOLE AST SOLDOTNA POST / DPS
- Reporting officer / #TLB6 BUYSE, TRENTON L / AKM

Reports

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Incident Report

Incident: AK18056644

Incident Type:

Suspicious Circumstances [SUSP]

Incident time:

08/09/2018 01:28 -

Reported time:

08/09/2018 01:28

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed non-criminal

Summary:

CFS 2308 - Fleta Blair, bartender at Moosequitos Bar in Sterling, calling to report a patron with a possible fake Military ID. *** ID was not a fake and Lerch was gone on foot upon our arrival. The ID was left between the windshield and wiper on the driver side of the vehicle. No crimes were

articulated.

Incident Activities/Offenses

Suspicious Circumstances

Involved Persons/Organizations

BLAIR, FLETA MARIE

Classification: Complainant

Gender:

Female

LERCH, JOHN JOSEPH

Classification: Mentioned in report

Gender:

Male

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Involved Vehicles

 Involved in Traffic Contact / Chevrolet Suburban 2000 VIN: Carry-all, SUV] AK Reg Colors: Blue / Blue

/ [Truck, van:

Involved Addresses

 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

Involved Officers

- Reporting unit / #SOLE AST SOLDOTNA POST / DPS
- Reporting officer / #AMS4 SONDERGAARD, ANTHONY M / DPS

Reports

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Incident Report

Incident: AK18072932

Incident Type:

Security Check [SECU]

Incident time:

10/07/2018 23:01 -

Reported time:

10/07/2018 23:01

Incident location:

33590 STERLING HIGHWAY, STERLING, Kenai Peninsula Borough AK USA 99672

(MOOSEQUITOS BAR) (Beat/zone: HDQF)

Incident status:

Closed non-criminal

Summary:

CFS 1665 / SECURITY CHECK AT MOOSQUITOS ****** On 10/07/2018 at approximately 2301 hours, Trp. Secor and myself conducted a security check at Moosquitos Bar, in Sterling. Contacted the employees working and a few males at the bar. No one appeared belligerent or intoxicated on the premises.

Nothing out of normal to report.

Incident Activities/Offenses

Security Check

Involved Addresses

• 33590 STERLING HIGHWAY / Incident location / STERLING, Alaska, USA 99672 (MOOSEQUITOS BAR) (Beat/zone: HDQF)

Involved Officers

- Reporting unit / #SOLE AST SOLDOTNA POST / DPS
- Reporting officer / #TLB6 BUYSE, TRENTON L / AKM

Reports

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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: 2019/2020 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing liquor license that will expire on December 31, 2018. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

NAME OF THE OWNER OWNER OF THE OWNER	siness seeking to have its license renew	ved. If any po	pulated information					
Licensee:	Moosequito Ventures LLC							
License Type:	Beverage Dispensary Legal Ref.: AS 04.11.090							
Doing Business As:	Moosequito's Bar							
Premises Address:	33590 Sterling Hwy							
Local Governing Body:	Kenai Peninsula Borough							
Community Council:	None							
Mailing Address:	Po Box 1446							
	FUDUATTIE							
City:	POBOX 1446 GIRDWOOD	State:	ALASKA	ZII	:	99587		
nter information for the ind	lividual who will be designated as the purification of the designated to be listed in and authorized to	orimary point	of contact regard					
nter information for the ind	ividual who will be designated as the populated to be listed in and authorized to	orimary point sign this appl	of contact regardication.	ing this applica	ation	. This individual		
nter information for the ind	lividual who will be designated as the p quired to be listed in and authorized to	orimary point sign this appl	of contact regardication.	ing this applica	ation			
nter information for the ind nust be a licensee who is red Contact Licensee: Contact Email:	ividual who will be designated as the populated to be listed in and authorized to	orimary point sign this appl	of contact regardication. Contact Phon Column	ing this applicate:	ation.	. This individual 30.0368		
nter information for the ind nust be a licensee who is red Contact Licensee: Contact Email:	ividual who will be designated as the provinced to be listed in and authorized to Paul W. Koval SKEETS ALASKA © CO staff to communicate with individua	orimary point sign this appl	of contact regardication. Contact Phon Column	ing this applicate:	ation.	. This individual 30.0368		





Alaska Alcoholic Beverage Control Board

Form AB-17: 2019/2020 Renewal License Application

Section 2 - Entity or Community Ownership Information

This top subsection must be completed by any licensee that is a <u>corporation</u> or <u>LLC</u>. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). This number is neither your EIN/tax ID number, nor your business license number. You may view your entity's status or find your CBPL entity number by vising the following site: https://www.commerce.alaska.gov/cbp/main/search/entities

General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

Alaska CBPL Entity #:	76007 D	***************************************			
You must ensure that you are	e able to certify the following stateme	ent before sig	ning your initials in the bo	x to the righ	t: Initials
I certify that this entity is in g are also currently and accura	good standing with CBPL and that all cutely listed with CBPL.	urrent entity	officials and stakeholders (listed below	a
 If the applicant is a corporate stock in the corporate of the applicant is a limite ownership interest of 10 If the applicant is a partnership interest of 10% of the applicant is a partnership interest of 10% of the applicant is a partnership interest of 10% of the applicant is a partnership interest of 10% of the applicant is a partnership interest of 10% of the applicant is a partnership interest of 10% of the applicant is a partnership interest of 10% of the applicant is a partnership interest of 10% of the applicant is a corporate in the applicant is a limited ownership interest of 100 or 100	pleted by any community or entity, incopplying for renewal. If more space is neopration, the following information musion, and for each president, vice-presided liability organization, the following 1% or more, and for each manager. The results of the following a limited partnership or more, and for each general partnership incomments, and for each general partnership incomments.	eded, please t be complet dent, secreta information i , the followin iding spelling	attach additional complete ed for each stockholder wh ry, and managing officer. must be completed for each ag information must be com- of names, specific titles, an	ed copies of the owns 10% owns	his page. or more of ith an ach partner es held) must
	th CBPL. If one individual holds multiple ation and with CBPL. Failure to list all re				be listed for
Name of Official:	PAUL W. KOVAL MANAGING MEMBER			***************************************	
Title(s):	MANAGING MEMBER	Phone:	907.830-0368	% Owned	100%
Mailing Address:	POBOX 1171				
City:	GIRDWOOD	State:	ALASKA	ZIP: 9	9587
Name of Official:					
Title(s):		Phone:		% Owned	
Mailing Address:					
City:		State:		ZIP:	
Name of Official:					
Title(s):		Phone:		% Owned	:
Mailing Address:					

State:

[Form AB-17] (rev 09/17/2018) License #975 DBA Moosequito's Bar

City:

A Page 2 of 4

ZIP:



Alaska Alcoholic Beverage Control Board

Form AB-17: 2019/2020 Renewal License Application

Section 3 - Sole Proprietor Ownership Information

This section must be completed by any licensee who directly holds the license as an <u>individual or multiple individuals</u> and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate (spouse	e)				
Name:		Contact Phone:			
Mailing Address:					
City:	State:		ZIP:		
Email:				er a and many the Green was	******
This individual is an: applicant affiliate (spouse	e)				
Name:		Contact Phone:			
Mailing Address:			72.0		
City:	State:		ZIP:		
Email:					
This section must be completed only by the holder of a beverage The holders of all other license types should skip to Section 5. Read the line below, and then sign your initials in the box to the	right of the st	atement:			nitials
The holders of all other license types should skip to Section 5. Read the line below, and then sign your initials in the box to the I certify that all licensees, agents, and employees who sell or serv have completed an alcohol server education course approved by course completion cards on the licensed premises during all work	right of the st re alcoholic be the ABC Board king hours, as	verages or check identificated and keep current, valid of set forth in AS 04.21.025 a	ation of a p	patron C	
The holders of all other license types should skip to Section 5. Read the line below, and then sign your initials in the box to the I certify that all licensees, agents, and employees who sell or serve have completed an alcohol server education course approved by	right of the st re alcoholic be the ABC Board king hours, as si	verages or check identificed and keep current, valid of set forth in AS 04.21.025 at peration	ation of a p	patron C	
The holders of all other license types should skip to Section 5. Read the line below, and then sign your initials in the box to the I certify that all licensees, agents, and employees who sell or serv have completed an alcohol server education course approved by course completion cards on the licensed premises during all work Section 5 – Li Check a single box for each calendar year that best describes how The license was regularly operated continuously throughout each	right of the st ye alcoholic be the ABC Board king hours, as s icense Op w this liquor li	verages or check identificed and keep current, valid of set forth in AS 04.21.025 at peration	ation of a p	patron eir 804.465.	Initials
The holders of all other license types should skip to Section 5. Read the line below, and then sign your initials in the box to the licentify that all licensees, agents, and employees who sell or service completed an alcohol server education course approved by course completion cards on the licensed premises during all work section 5 – Li Check a single box for each calendar year that best describes how	right of the st ye alcoholic be the ABC Board king hours, as s icense Op w this liquor li	verages or check identificed and keep current, valid of set forth in AS 04.21.025 at peration	ation of a p	patron eir 804.465.	Initials
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Alaska Alcoholic Beverage Control Board

Form AB-17: 2019/2020 Renewal License Application

Sect	ion 6 – Violatio	ons and Convi	ctions		
Applicant violations and convictions in cale	endar years 2017 and 2	018:		Yes	No
Have any notices of violation (NOVs) been i	ssued to this licensee in	the calendar years 20	17 or 2018?		V
Has any person or entity named in this appl ordinance adopted under AS 04.21.010 in t			4, of 3 AAC 304, or a lo	cal	V
If "Yes" to either of the previous two ques	tions, attach a separate	e page to this applicati	on listing all NOVs and	/or convictio	ns.
	Section 7 -	Certifications			
Read each line below, and then sign your i	nitials in the box to the	right of each stateme	nt:		Initials
I certify that all current licensees (as define in accordance with AS 04.11.450, no one o licensed business.					20
I certify that I have not altered the function and I have not changed the business name stakeholders) from what is currently appro-	or the ownership (inclu	ding officers, manager	s, general partners, or	es,	2
I certify on behalf of myself or of the organiany other form provided by AMCO is groun	ized entity that I unders ds for rejection or deni	stand that providing a f al of this application or	alse statement on this revocation of any licer	form or nse issued.	2
As an applicant for a liquor license renewal 3 AAC 304, and that this application, includ provide all information required by the Alcothat failure to do so by any deadline given that failure of licensee Park Krystovak By: Paul W By: Pau	ing all accompanying so oholic Beverage Contro to me by AMCO staff wi	thedules and statement Board or AMCO staff is the state of the state o	ts, is true, correct, and n support of this application being returned to returned to return of Notary Publication State of Architectures:	complete. I again and und und und und und und und und und u	gree to derstand
NOTARY PUBLIC TAMMY D. WATSON STATE OF ALASKA MY COMMISSION EXPIRES January 17, 2021 NO Seasonal License?	If "Yes", write your				20_[\].
License Fee: \$ 2500.00	Application Fee:	\$ 300.00	TOTAL:	\$ 2800.00	*****
Miscellaneous Fees:	L	<u> </u>			
GRAND TOTAL (if different than TO	TAI):				