

Should this item be pulled from the Consent Agenda the following motion would be in order:

POSSIBLE MOTION

I MOVE to approve forwarding the following liquor license applications: Cascade Convenience Center (change of location) and Dock Shack Café (new) to the Alcoholic Beverage Control Board with out protest.

OFFICE OF THE MUNICIPAL CLERK

April 21, 2011

TO: Mayor and Assembly

FROM: Colleen Ingman, Municipal Clerk



SUBJECT: **Liquor license Transfer Location and New**

This office is in receipt of the following liquor license applications:

Transfer Location

Cascade Convenience Center

From 2035 HPR to 1867 HPR

Triple C Ventures Inc./Hames Corporation

New

Dock Shack Cafe

Shee Atika Management LLC

201 Katlian Street

A memo was circulated to the various departments who may have had any reason to protest and no objections were received.

All municipal accounts are current and there are no liens against any of the proposed license holders.

With regard to the new liquor license notices were published and posted in accordance with Sitka General Code.

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: April 14, 2012

Application Type: **NEW**_____

 X **TRANSFER**
_____ Ownership
 X Location
_____ Name Change

Governing Body: **City & Borough of Sitka**

Community Councils: None

* Correction

License #: **202**
License Type: **Package Store**
D.B.A.*: Cascade Convenience Center
Licensee/Applicant: **Triple C Ventures Inc**
Physical Location: 1867 Halibut Point Rd

Mail Address: 1867 Halibut Point Rd Sitka AK 99835
Telephone #: 907-747-8313 907-8354 Fax
EIN: 571199571

Corp/LLC Agent:	Address	Phone	Date and State of Limited Partnership/Corporation	Good standing?
John W Peterson	307 Bawden St Ketchikan AK 99901	907-747- 3459	February 11, 2004 Alaska	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Lloyd F. Hames	6/26/27	2715 HPR Sitka AK	907-747-8486	Chairman 0 %
Barbara R Hames	8/15/29	2715 HPR Sitka AK	907-747-8486	Treasurer 0%
Roger L Hames	10/25/56	304 Islander Dr Sitka AK	907-747-6044	President 0%
Mary W Hames	4/14/58	304 Islander Dr Sitka AK	907-747-6893	Secretary 0%
Hames Corporation	N/A	1867 HPR Sitka AK	907-747-3459	100%

If **transfer** application, current license information:

License #: 202
Current D.B.A.: Cascade Convenience Center
Current Licensee: Triple C Ventures Inc
Current Location: 2035 Halibut Point Rd

Additional comments: None.

****Date of Birth**

*** Doing Business As**

Cc:

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: March 30, 2011

Application Type: **NEW** X

 TRANSFER
 Ownership
 Location
 Name Change

Governing Body: **City & Borough of Sitka**

Community Councils: None

License #: **5046**

License Type: **Beverage Dispensary Tourism**

D.B.A.*: Dock Shack Café

Licensee/Applicant: **Shee Atika' Management LLC**

Physical Location: 201 Katlian St

Mail Address: 315 Lincoln St., Ste 300 Sitka AK 99835

Telephone #: 907-747-3534 907-747-5727 Fax

EIN: 26-0101669

Corp/LLC Agent:	Address	Phone	Date and State of Limited Partnership/Corporation	Good standing?
Kenneth Cameron DMD	315 Lincoln St #300 Sitka AK 99835	907-747- 3534	March 15, 2002 Alaska	Yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Shee Atika' Incorporated		315 Lincoln St #300 Sitka AK 99835	907-747-3534	Member 100%
Kenneth Cameron, DMD	11/2/44	4307 Halibut Point Rd Sitka AK 99835	907-747-3534	Manager

If **transfer** application, current license information:

License #: N/A

Current D.B.A.: N/A

Current Licensee: N/A

Current Location: N/A

Additional comments: Restaurant Designation Permit application enclosed.

****Date of Birth**

*** Doing Business As**

Cc:

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is “arbitrary, capricious and unreasonable”. Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 15 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 15 AAC 104.335(a)(3), AS 04.11.090(e), and 15 AAC 104.660(e) must be approved by the governing body.

Sincerely,

/s/ Reeda Jaramillo

Reeda Jaramillo

Lead Business Registration Examiner

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 15 AAC 104.715-794

FEE: \$50.00

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining and persons under the age of 19 for employment. If for employment, please state in detail, how the person will be employed, duties, etc. (13 AAC 104.745).

This application is for designation of premises where: (please mark appropriate items).

- 1 ☒ Under AS 04.16.010(c) Bona fide restaurant/eating place.
- 2 ☒ Persons between 16 & 21 may dine unaccompanied.
- 3 ☒ Persons under 16 may dine accompanied by a person 21 years or older.
- 4 ☒ Persons between 16 and 19 years may be employed. (See note below).

LICENSEE: Shree Atika Management, LLC

D/B/A: Dock Shack Cafe

ADDRESS: 201 Kathleen Street, Sitka, AK 99835

1 Hours of Operation: 5:00 AM to 9:00 PM Telephone # 907-747-3693

2 Have police ever been called to your premises by you or anyone else for any reason: ☐ Yes ☒ No
If yes, date(s) and explanation(s).

3 Duties of employment: Serve food and non-alcoholic beverages only, cleaning, bussing
(with the exception of containers used for alcoholic beverages)

4 Are video games available to the public on your premises? NO

5 Do you provide entertainment: ☐ Yes ☒ No If yes, describe.

6 How is food served? ☒ Table Service ☐ Buffet Service ☐ Counter Service ☐ Other*

7 Is the owner, manager, or assistant manager always present during business hours? ☒ Yes ☐ No

*** A MENU AND A DETAILED LICENSED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

This permit remains in effect until the liquor license is transferred OR at the discretion of the Alcoholic Beverage Control Board (13 AAC 104.795)

I certify that I have read AS 04.16.049, AS 04.16.060, 13 AAC 104.715-795 and have instructed my employees about provisions contained therein.

[Signature]
Applicant(s) signature

Subscribed and sworn to before me this 4 day of April 2011

Alicia Williams
Notary Public in and for Alaska

My Commission expires 9-28-12

STATE OF ALASKA
NOTARY PUBLIC
ALICIA WILLIAMS



NOTE: AS (My Commission Expires 9-28-12) requires that for persons under 19 years of age, an exemption by the Department of Labor must be provided to the licensee by the employee who is under 19 years of age. Persons 19 and 20 years of age are not required to have the consent or exemption.

* Describe how food is served on back of form. (See back)

Application approved (13 AAC 104.725(e))
Governing Body Official

Date: _____

Director, ABC Board

Date: _____

LEGAL NOTICE

LIQUOR LICENSE NEW Beverage Dispensary Tourism Dock Shack Café

The City and Borough of Sitka has been notified of an application for a new liquor license submitted by: Shee Atika' Management LLC, doing business as Dock Shack Café, under the Beverage Dispensary Tourism category, and to be physically located at 201 Katlian Street.

The City and Borough of Sitka will consider this application at the Assembly Meeting of April 26, 2011, at 6:00 p.m. at the Harrigan Centennial Hall. Any protest may be lodged either prior to or at that time.

Colleen Ingman, MMC
Municipal Clerk

Posted to premise: 4/16/11

Publish: 4/16/11