

Should this item be pulled from the Consent Agenda the following motion is suggested:

POSSIBLE MOTION

I MOVE TO approve a liquor license ownership transfer, restaurant designation permit, and dba name change for Mean Queen, LLC dba Mean Queen and forward this approval to the Alcoholic Beverage Control Board without objection.



City & Borough of Sitka
Municipal Clerk's Office
100 Lincoln Street, Sitka AK 99835
Telephone: 907-747-1811 Fax: 907-747-4004



Memorandum

To: Mayor and Assembly Members
From: Sara Peterson, Municipal Clerk
Date: November 3, 2015
Subject: Liquor License Ownership Transfer (#2786), Application for Restaurant Designation Permit, and DBA Name Change

This office has received notification of the following liquor license ownership transfer and DBA name change:

Type: Beverage Dispensary
Owner: Kirk Van Winkle
DBA: Van Winkle and Sons
Location: 205 Harbor Drive

To: Mean Queen, LLC
DBA: Mean Queen
Location: 205 Harbor Drive

This office has also received a restaurant designation permit application for:

Licensee: Mean Queen, LLC
DBA: Mean Queen
Location: 205 Harbor Drive

The granting of this permit allows:

- Persons 16-20 years of age may dine unaccompanied
- Persons under 16 may dine accompanied by a person 21 years of age or older
- Persons between 16 and 20 years of age may be employed

A notice was published in the local newspaper and posted to the establishment as required by Sitka General Code. A memo was circulated to the various departments who may have a reason to protest. To date, no protests have been received.

Recommendation: Approve the liquor license ownership transfer, restaurant designation permit, and dba name change.



THE STATE
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

550 West 7th Ave., Ste. 1600
Anchorage, Alaska 99501
Main: 907.269.0350
TDD: 907.465.5437
Fax: 907.334.2285

October 20, 2015

Sara Peterson VIA EMAIL: sara.peterson@cityofsitka.org

Colleen Ingman VIA EMAIL: coleen@cityofsitka.org

Mean Queen, LLC d.b.a. Mean Queen – License #2786

- New Application Transfer of Ownership Transfer of Location
 Restaurant Designation Permit DBA Name Change

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

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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 3 AAC 304.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 3 AAC 304.335(a)(3), AS 04.11.090(e), and 3 AAC 304.660(e) must be approved by the governing body.



Maxine Andrews
Business Registration Examiner
Direct line: 907-269-0358
Email: maxine.andrews@alaska.gov

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: October 20, 2015

Application Type: New TRANSFER
 Ownership
 Location
 Name Change

| | |
|---------------------|--|
| Governing Body: | City and Borough of Sitka |
| Community Councils: | n/a |
| License #: | 2786 |
| License Type: | Beverage Dispensary |
| D.B.A.: | Mean Queen |
| Licensee/Applicant: | Mean Queen, LLC |
| Physical Location: | 205 Harbor Drive |
| Mail Address: | 209 Mills Street, A Sitka, AK 99835 |
| Telephone #: | 907-752-0500 |
| EIN: | 47-4333534 |

| Corp/LLC Agent: | Address | Phone | Date and State of Incorporation | Good standing? |
|-----------------|--|--------------|---------------------------------|----------------|
| Mean Queen, LLC | 209 Mills Street, A Sitka, AK 99835 | 907-752-0500 | 6/22/2015 Alask | 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 (%) |
|--------------------------|-----------|---|--------------|------------------|
| Patrick O'Donnell | 1/12/1969 | 2906 Halibut Pt. Rd. Sitka, AK 99835 | 907-747-7440 | Member 50% |
| Mary Magnuson | 8/30/1960 | 209 Mills Stret, A Sitka, AK 99835 | 907-752-0500 | Member 50% |

Transfer from Kirk Van Winkle d.b.a. Van Winkle and Son same location.

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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 3 AAC 304.660(e) must be approved by the governing body.



Maxine Andrews
Business Registration Examiner
Direct line: 907-269-0353
Email: maxine.andrews@alaska.gov

Transfer Liquor License

Alcoholic Beverage Control Board
550 West 7th Ave. Suite 1600
Anchorage, AK 99501

(907) 269-0350
Fax: (907) 334-2285
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is: Full Year OR Seasonal List Dates of Operation: _____

| SECTION A - LICENSE INFORMATION | | | FEES 12714 |
|--|---|---|---|
| License Year: 2014 | License Type: Beverage Dispensary | Statute Reference: Sec. 04.11.090 | Filing Fee: \$100.00 |
| License #: 2786 | | | Rest. Desig. Permit Fee: (350.00) \$ 50 |
| Local Governing Body: (City, Borough or Unorganized) City and Borough of Sitka | Community Council Name(s) & Mailing Address: Sitka Assembly 101 Lincoln St Sitka, AK 99835 | | Fingerprint: \$ 49.75 ^{51.50} (349.75 per person) 49.75 |
| Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): Mean Queen LLC | Doing Business As (Business Name): Mean Queen | Business Telephone Number: 907-752-0500 | TOTAL _____ 199.75 |
| Mailing Address: 209 mills St A | Street Address or Location of Premises: 205 Harbor Drive Sitka AK 99835 | Fax Number: 907-747-0572 | Email Address: alaskadaymay@ yahoo.com |
| City, State, Zip: Sitka AK 99835 | | | |
| Is any shareholder related to the current owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| If "yes" please state the relationship _____ | | | |
| SECTION B - TRANSFER INFORMATION | | | |
| <input checked="" type="checkbox"/> Regular Transfer <input type="checkbox"/> Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application. Real or personal property conveyed with this transfer must be described. Provide security interest documents. <input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670. | | Name and Mailing Address of CURRENT Licensee: Kirk Van Winkle PO Box 842 Sitka AK 99835 Business Name (dba) BEFORE transfer: Van Winkle and Sons Street Address or Location BEFORE transfer: 205 Harbor Drive Sitka AK 99835 | |
| SECTION C - PREMISES TO BE LICENSED | | | |
| Distance to closest school grounds: Preschool in building | Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. | <input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable | |
| Distance to closest church: 200' | Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No. | <input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached | |
| Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building | | | |

Alcoholic Beverage Control Board
 550 West 7th Ave. Suite 1600
 Anchorage, AK 99501

Transfer Liquor License

(907) 269-0350
 Fax: (907) 334-2285
<http://commerce.alaska.gov/dnn/abc>

SECTION D - LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

Yes No If Yes, complete the following. Attach additional sheets if necessary.

| Name | Name of Business | Type of License | Business Street Address | State |
|-------------------|------------------|-----------------|-------------------------|-------|
| Patrick O'Donnell | Channel Club | Full restaurant | 2906 HPR Sitka | AK |
| | | | | |
| | | | | |
| | | | | |

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

Yes No If Yes, attach written explanation.

SECTION E - OWNERSHIP INFORMATION - CORPORATION

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

| | | | |
|---|-----------------------|---|--|
| Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): Mean Queen LLC | | Telephone Number: 907-752-0500 | Fax Number: 907-747-0572 |
| Corporate Mailing Address: 209 Mills St A | City: Sitka | State: AK | Zip Code: 99835 |
| Name, Mailing Address and Telephone Number of Registered Agent: Mary Magnuson 209 Mills St Sitka, AK 99835 | | Date of Incorporation OR Certification with DCED: 6/22/2015 | State of Incorporation: Alaska |
| Is the Entity in "Good Standing" with the Alaska Division of Corporations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity <i>must</i> be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee. | | | |

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

| Name | Title | % | Home Address & Telephone Number | Work Telephone Number | Date of Birth |
|-------------------|----------|----|--|-----------------------|---------------|
| Patrick O'Donnell | member | 50 | 2906 Halibut Pt Rd Sitka ⁷³⁰ 740 | 747-7440 | 1/12/69 |
| Mary Magnuson | regagent | 50 | 209 Mills St A Sitka ⁷⁵² 750 | 752-0500 | 8/30/60 |
| | | | | | |
| | | | | | |
| | | | | | |

Transfer Liquor License

NOTE: If you need additional space, please attach a separate sheet.

SECTION F – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)

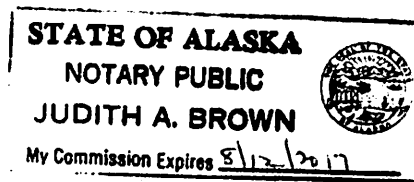
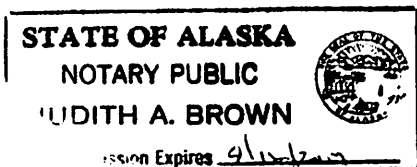
Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

| | | | |
|----------------------------|--|----------------------------|--|
| Name: Address: | Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> | Name: Address: | Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> |
| Home Phone: Work Phone: | Date of Birth: | Home Phone: Work Phone: | Date of Birth: |
| Name: Address: | Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> | Name: Address: | Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/> |
| Home Phone: Work Phone: | Date of Birth: | Home Phone: Work Phone: | Date of Birth: |

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

| | |
|---|---|
| Signature of Current Licensee(s) Signature | Signature of Transferee(s) Signature |
| Signature | Signature |
| Name & Title (Please Print) Kirk Van Winkle, OWNER | Name & Title (Please Print) Mary G. Magnuson, Registered Agent |
| Subscribed and sworn to before me this 25 th day of August, 2015. | Subscribed and sworn to before me this 25 day of August, 2016. |
| Notary Public in and for the State of Alaska | Notary Public in and for the State of Alaska |
| My commission expires: 8/12/2017 | My commission expires: 8/12/2017 |



**STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT
AS 04.16.049 & 3 AAC 304.715 - 794**

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons between the ages of 16 - 20 for employment. If for employment, please indicate in detail what the employment duties will be in question #3.

License Number: 2786 Type: Beverage Dispensary

This application is for designation of premises where: (Please check the appropriate items below)

- 1. Bona fide restaurant pursuant to 3 AAC 304.305 & 3 AAC 304.715-794.
- 2. Persons 16 - 20 years of age may dine unaccompanied.
- 3. Persons under 16 may dine accompanied by a person 21 years of age or older.
- 4. Persons between 16 - 20 years of age may be employed. *(See note below)

Licensee's Name: Mean Queen LLC

Name of Business: Mean Queen

Business Address: 205 Harbor Drive City: Sitka

1. Hours of operation 11:30 to 2:00 Telephone Number: 907-752-0500
Mon *Mon*

2. Have police been called to your premises for any reason? Yes No
(If you answered yes, please explain below).

3. * Duties of employment: Bussing tables, washing dishes

4. Are video games available to the public on your premises? Yes No

5. Do you provide live entertainment, such as live music, pool tables, karaoke, dancing, sports or pin-ball?
 Yes No Pool Table always - occasional live music

6. How is food served? Table Service Buffet Service Counter Service Other _____

7. Is an owner, manager or supervisor 21 years of age or older always present during business hours? Yes No

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

*Employees 16 and 17 years of age must have a valid work permit and a letter maintained in your files from a parent or guardian authorizing employment at your establishment.

**Please attach additional sheets of paper if more space is needed to describe food service, entertainment, etc.

Mary Magnusson
Licensee Signature

Local Governing Body Approval

Subscribed and sworn to before me this 13th day of October 2015

Date

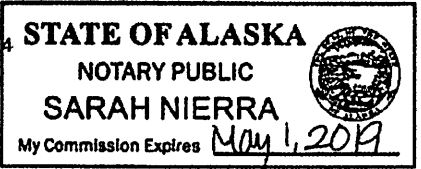
Sarah Nierra
Notary Public in and for Alaska

Director, ABC Board

My Commission expires: May 1, 2019

Date

Rev. 03172014



MEAN QUEEN MENU

SALADS

Served with your choice of house made dressings

Dinner Salad \$7

Caesar Salad \$9 w/ chicken \$13

Italian Style Chef's Salad \$13

Andy's Special Chicken Wings

Available with hot sauce or honey mustard \$11

PIZZA

14" Cheese \$13

Toppings \$3 – Pepperoni, Italian Sausage, Canadian Bacon, Ground Beef, Fresh Tomatoes, Sun dried Tomatoes, Onions, Black Olives, Kalamata Olives, Onions, Artichokes, Bell Peppers, Jalapenos, Pineapple, Feta Cheese

STROMBOLI

Traditional Folded pizza stuffed with Ricotta and your choice of toppings, serves 2 \$18

STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below, show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

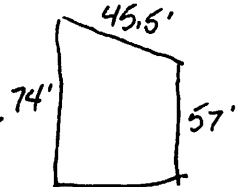
DBA: Mean Queen

PREMISES LOCATION: 205 Harbor Drive Sitka

Indicate scale by x after appropriate statement or show length and width of premises.

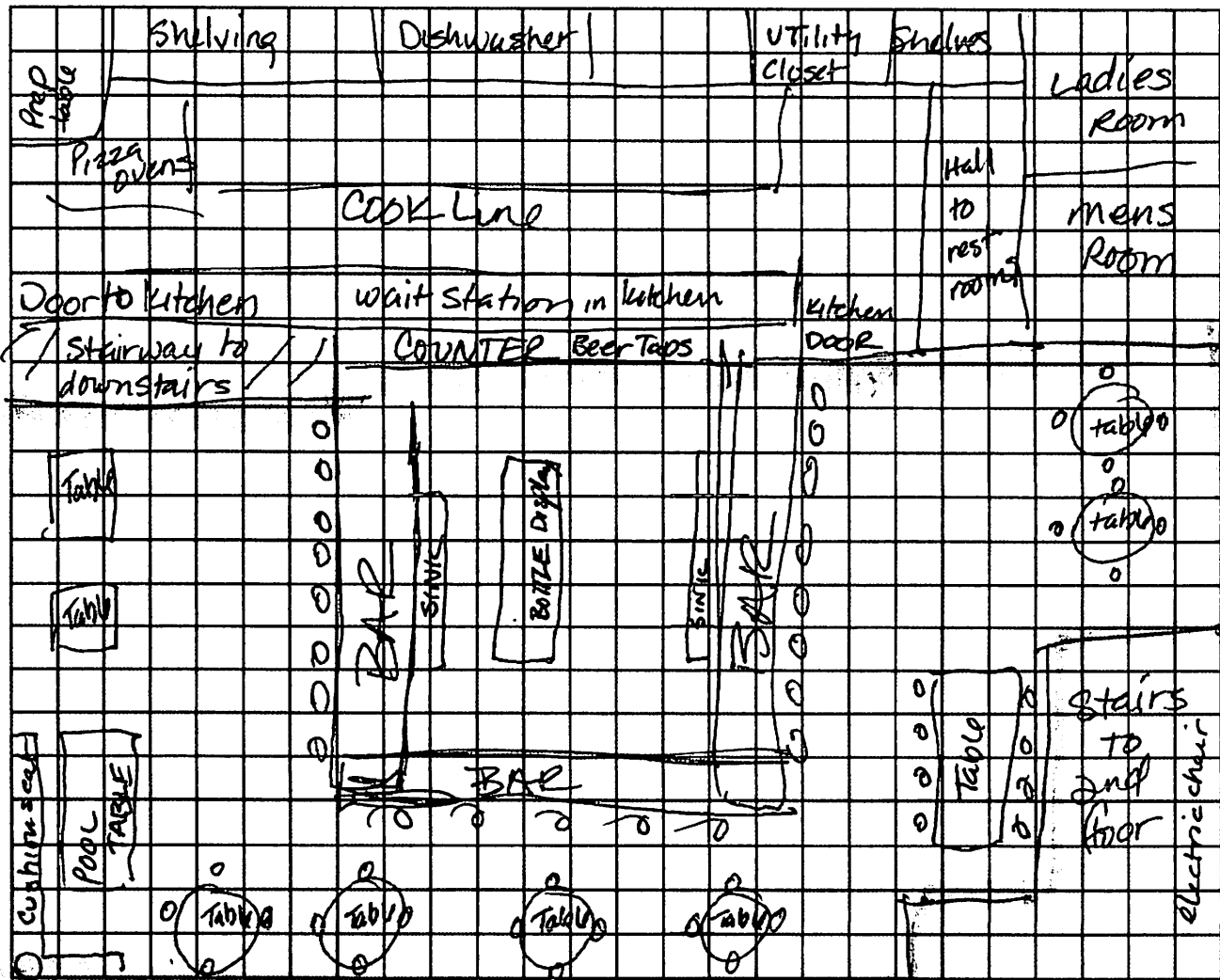
SCALE A: _____ 1 SQ. = 4 FT. SCALE B: _____ 1 SQ. = 1 FT.

Length and width of premises in feet: not square



Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.

DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.



Liquor storage downstairs
Beer kegs all in walk-in

DOOR

STATE OF ALASKA
ALCOHOL BEVERAGE CONTROL BOARD
Licensed Premises Diagram

INSTRUCTIONS: Draw a detailed floor plan of your present or proposed licensed premises on the graph below; show all entrances and exits, and all fixtures such as tables, booths, games, counters, bars, coolers, stages, etc.

DBA: mean Queen 1st Floor

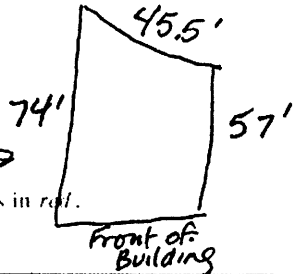
PREMISES LOCATION: 205 Harbor Drive Sitka

Indicate scale by x after appropriate statement or show length and width of premises.

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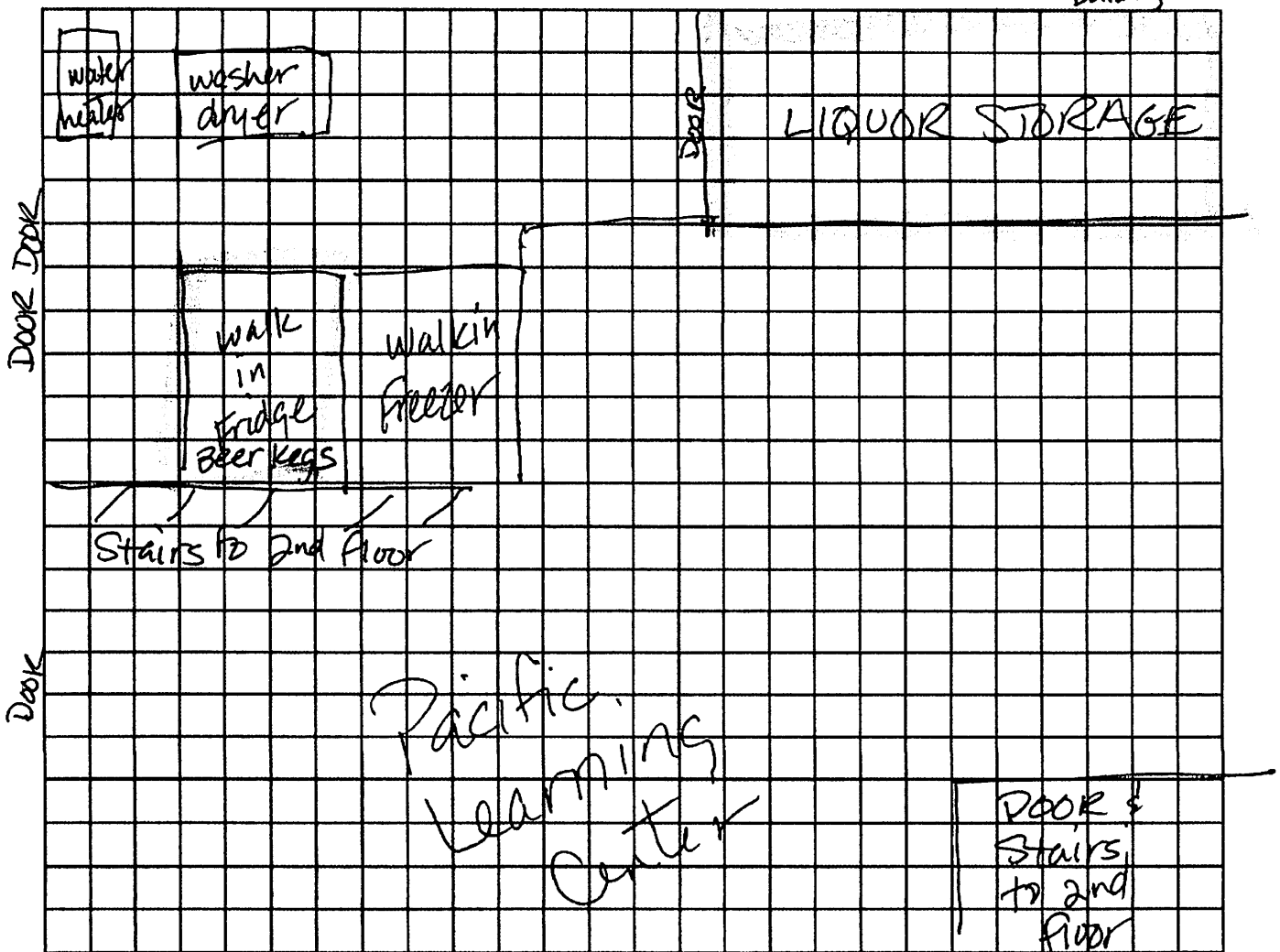
Length and width of premises in feet:

Building not square →



Outline the area to be designated for sale, service, storage, and consumption of alcoholic beverages in red.

DO NOT USE BLUE INK OR PENCIL ON THIS DIAGRAM.



LEGAL NOTICE
LIQUOR LICENSE OWNERSHIP TRANSFER

The City and Borough of Sitka has received a request for an ownership transfer of liquor license #2786 (License Type: Beverage Dispensary) from Kirk Van Winkle dba Van Winkle and Sons to Mean Queen, LLC dba Mean Queen at 205 Harbor Dr.; Sitka, AK.

The City and Borough of Sitka will consider this application for an ownership transfer at the Assembly Meeting of November 10, 2015 at 6:00 p.m. at 1332 Seward Avenue – University of Alaska Southeast. Any protest may be lodged either prior to or at that time.

Sara Peterson, CMC, Municipal Clerk
POST TO PREMISE on 10/21/2015

Publish: 10/23/15

OFFICE OF THE MUNICIPAL CLERK

October 21, 2015

TO:

Property Clerk – Ruth Joens
Collections - Mary Martin
Municipal Billings – Mike Middleton
Sales Tax – Hannah Nelson
Utility Billing Clerk – Bev Brill

Fire Department
Police Department
Building Official

FROM: Sara Peterson, Municipal Clerk

SUBJECT: **Liquor License Transfer (#2786),
Application for Restaurant Designation Permit, and
DBA Name Change**

This office has received notification of the following liquor license transfer and DBA name change:

Type: Beverage Dispensary
Owner: Kirk Van Winkle
DBA: Van Winkle and Sons
Location: 205 Harbor Drive

To: Mean Queen, LLC
DBA: Mean Queen
Location: 205 Harbor Drive

This office has also received a restaurant designation permit application for:

Licensee: Mean Queen, LLC
DBA: Mean Queen
Location: 205 Harbor Drive

The granting of this permit allows:

- Persons 16-20 years of age may dine unaccompanied
- Persons under 16 may dine accompanied by a person 21 years of age or older
- Persons between 16 and 20 years of age may be employed

Please notify **no later than 5pm October 30** of any reason to protest these requests.

Thank you.