



	Approved	Denied
Date Action Taken:	4/15/08	
Other:	Approved option #1 on April 14, 2008	
Verified by:	Kornik	

Holler, Massie, Metiva, Menard, Woodruff, Larson - no

**WASILLA CITY COUNCIL ACTION MEMORANDUM**

**AM No. 08-21**

**TITLE: APPROVAL OF A TRANSFER OF A BEVERAGE DISPENSARY LICENSE FROM THE MATANUSKA-SUSITNA BOROUGH TO THE CITY OF WASILLA UNDER A.S.04.11.400(M) FOR EVANGELOS DBA K&G ENTERPRISES, LLC.**

Agenda of: April 14, 2008

Date: April 1, 2008

Originator: Mike Rager, Code Compliance Officer

Route to:	Department	Signature/Date
X	Police Chief	[Signature] 4/2/08
X	Finance Director	[Signature]
X	Deputy Administrator, Community and Economic Development	Marvin L. Ford
X	City Clerk	Kornik

**REVIEWED BY MAYOR DIANNE M. KELLER:** \_\_\_\_\_

**FISCAL IMPACT:**  yes \$ \_\_\_\_\_ or  no Funds Available  yes  no

Account name/number:

Attachments: Code Compliance Form  
ABC Board Notice

**SUMMARY STATEMENT:**

Evangelos dba K&G Enterprises, LLC, is requesting approval from the Alcoholic Beverage Control (ABC) Board to transfer a beverage dispensary license that is currently held in the Matanuska-Susitna Borough by Dead Dog Saloon dba B&S Ventures, Inc. into the City of Wasilla; this type of beverage dispensary license is the type that requires action by both the Wasilla City Council and the Matanuska-Susitna Borough Assembly, pursuant to AS 04.11.400(m).

In accordance with WMC 6.16.020, this transfer has been reviewed by the Finance Department, Planning Office and Police Department and all recommend approval to the applicant.

**ACTION:** This matter falls within the discretion of the City Council. In accordance with WMC 6.16.040.D, the City Council may approve the application with or without conditions or deny the application. Once the Council makes their recommendation, the code compliance division will notify the ABC Board and the Matanuska-Susitna Borough of the decision of the Council.

If the council wishes to **approve** the application, please make the motion as outlined in **Option 1**, listed below.

**Option 1, motion:** *To adopt AM No. 08-21 by Approving* the application to transfer a beverage dispensary license from the Matanuska-Susitna Borough to the City of Wasilla from Dead Dog Saloon dba B & S Ventures to Evangelos dba K&G Enterprises; the code compliance division will notify the ABC Board and the Matanuska-Susitna Borough of this action.

**OR**

If the council chooses to **deny** the application, please make the motion as outlined in **Option 2**, listed below.

**Option 2, motion:** *To adopt AM No. 08-21 by Denying* the application to transfer a beverage dispensary license from the Matanuska-Susitna Borough to the City of Wasilla from Dead Dog Saloon dba B&S Ventures to Evangelos dba K&G Enterprises; the code compliance division will notify the ABC Board and the Matanuska-Susitna Borough of this action.

State of Alaska  
**Alcoholic Beverage Control Board**

Date of Notice: December 19, 2007

**ATTENTION:**

This is a transfer of a Beverage Dispensary license from the Matsu Borough to the City of Wasilla which requires approvals from the Matsu Borough and the City of Wasilla. (required under SB 128)

Application Type: NEW \_\_\_\_\_

<u>  X  </u>	TRANSFER
<u>  X  </u>	Ownership
<u>  X  </u>	Location
<u>  X  </u>	Name Change

Governing Body: **City of Wasilla**  
 Community Councils: None

License #: 4760  
 License Type: **Beverage Dispensary**  
 D.B.A.\*: Evangelos  
 Licensee/Applicant: K & G Enterprises LLC  
 Physical Location: 2530 E Parks Hwy

Mail Address: PO Box 875609 Wasilla AK 99687  
 Telephone #: 907-376-1212 907-376-1098  
 EIN: 92-0167710

Corp./LLC Agent:	Address	Phone	Date and State of Limited Partnership/Corporation	Good standing?
Evangelos Lambornakis	PO Box 875609 Wasilla AK 99687	907-376-1212	April 12, 1999 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 (%)
Evangelos Lambornakis	11/8/51	PO Box 5609 Wasilla AK 99687	907-376-1212	Member 51 %
Dialekti Lambornakis	7/10/60	PO Box 5609 Wasilla AK 99687	907-376-1212	Member 49%

If transfer application, current license information:

License #: 939  
 Current D.B.A.: Dead Dog Saloon  
 Current Licensee: B&S Ventures Inc  
 Current Location: Mile 49 Parks Hwy

Additional comments: Restaurant Designation Permit Application will be sent via US mail.  
**ORIGINAL APPLICATION MUST BE RETURNED.**

\*\*Date of Birth  
 \*Doing Business As

Cc: Matsu Borough

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.

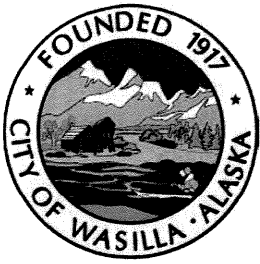
AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

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  
Business Registration Examiner



**CODE COMPLIANCE**

**CITY OF WASILLA**  
**1800 E. PARKS HIGHWAY**  
**WASILLA, AK 99654-7091**  
**PHONE: (907) 352-5430 / FAX: (907) 357-7877**  
[www.cityofwasilla.com](http://www.cityofwasilla.com)

DATE



TO: Chief Finance Officer or Designee  
 Planning Director or Designee  
 Police Chief or Designee

Application Type:

License Type:

Liquor License Number:

Licensee/Applicant Name:

Business Name:

Business' Physical Location:

The above referenced liquor license application was received by Code Compliance on

(Pursuant to WMC 6.16.030, staff must determine within 20 business days or by ,

whether the applicant complies with the provision of WMC 6.16.030).

The application was reviewed in accordance with WMC 6.16.030, Liquor License and the following findings are reported:

Department Name	Recommend Approval	Recommend Denial (Please provide written statement under separate cover)	Authorized Signature
Finance	<input checked="" type="radio"/>	<input type="radio"/>	Troy Tankersley, Controller <small>Digitally signed by Troy Tankersley, Controller DN: cn=Troy Tankersley, Controller, o=Finance Department, ou=City of Wasilla, email=tankersley@ci.wasilla.ak.us, c=US Date: 2008.03.28 16:19:04 -08'00'</small>
Planning Office	<input checked="" type="radio"/>	<input type="radio"/>	Jim Holycross <small>Digitally signed by Jim Holycross DN: cn=Jim Holycross, c=US, o=City of Wasilla, ou=City Planner, email=jholycross@ci.wasilla.ak.us Date: 2008.03.27 08:24:24 -08'00'</small>
Police Department	<input checked="" type="radio"/>	<input type="radio"/>	A.T. Long <small>Digitally signed by A.T. Long DN: cn=A.T. Long, o=Wasilla Police Department, ou=Chief of Police, email=along@ci.wasilla.ak.us, c=US Date: 2008.03.28 10:52:41 -08'00'</small>