



	Approved	Denied
Date Action Taken:	10/12/09	
Other:		
Verified by:		

WASILLA CITY COUNCIL ACTION MEMORANDUM

AM No. 09-50

TITLE: REQUEST FOR PROTEST OF THE JOHN EMMI & ERNEST EMMI LIQUOR LICENSE APPLICATION

Agenda of: October 12, 2009

Date: September 30, 2009

Originator: J. Craig Robinson, Chief of Police

Route to:	Department	Signature/Date
X	Police Chief	JC Robinson 9/30/09
X	Chief Financial Officer <i>Financial Director</i>	<i>[Signature]</i> 11/6/09
X	Deputy Administrator	<i>[Signature]</i>
X	City Clerk	<i>[Signature]</i>

REVIEWED BY MAYOR VERNE RUPRIGHT: *[Signature]*

FISCAL IMPACT: yes \$ _____ or no Funds Available yes no

SUMMARY STATEMENT: The City of Wasilla received the attached application for a liquor license for John Emmi and Ernest Emmi on September 2, 2009. The application was for a transfer/ownership/location/and name change reference license number 3890, currently held by the Great Bear Brewing Company. No premise location was provided with the application. After referrals to the City of Wasilla's finance, planning and police departments under WMC 6.16.020, the following facts and discrepancies were noted and compiled by city staff:

1. City of Wasilla Sales Tax account for Glacier Canyon Grill is delinquent or has not been filed for the period July and August, 2009.
2. City of Wasilla Sales Tax account for The Great Bear is delinquent or has not been filed for the period April 2008 through November 2008; balance due is \$24,497.37.
3. City of Wasilla Utility account 793-53234 for The Great Bear is delinquent \$495.46; Utility account 3145-185 for Emmi Properties has a balance due of \$3.88; Utility account 745-2353 for John Emmi has a balance due of \$4.41.

4. No City of Wasilla Business License is on file for proposed new business.
5. John Emmi and Ernest Emmi were notified of these discrepancies by letter via Certified Mail #7004 2510 0002 5431 2714 on September 30, 2009.

ACTION: Per WMC 6.16.040, the council may consider the application and decide on one of three options:

- The council may **protest** the application under AS 04.11.480(a).
- The council may **recommend conditions on which the application should be granted** under AS 04.11.480(c).
- The council may **take no action on the application**.

Option 1: If the council wishes to **protest** the application under AS 04.11.480(a), the following motion would need to be made from the floor:

Motion: To approve AM No. 09-50 by **protesting** the application under AS 04.11.480(a).

Option 2: If the council wishes to **recommend conditions on which the application should be granted** under AS 04.11.480(c), the following motion would need to be made from the floor:

Motion: To approve AM No. 09-50 by **recommending the following conditions on which the application should be granted** under AS 04.11.480(c):

1. Bring the following City of Wasilla Accounts into current status:
 - a. City of Wasilla Sales Tax account for Glacier Canyon Grill is delinquent or has not been filed for the period July and August, 2009.
 - b. City of Wasilla Sales Tax account for The Great Bear is delinquent or has not been filed for the period April 2008 through November 2008; balance due is \$24,497.37.
 - c. City of Wasilla Utility account 793-53234 for The Great Bear is delinquent \$495.46; Utility account 3145-185 for Emmi Properties has a balance due of \$3.88; Utility account 745-2353 for John Emmi has a balance due of \$4.41.
2. Obtain a City of Wasilla Business License for the proposed new business.
3. All delinquencies must be rectified by way of certified funds delivered to the Finance Department.

Option 3: If the council wishes to take no action on the application, the following motion would need to be made from the floor:

Motion: To approve AM No. 09-50 by taking no action on the application.

State of Alaska
Alcoholic Beverage Control Board

09-54833
 AM 09-50

Date of Notice: September 2, 2009

Application Type: **NEW** _____

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

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

License #: **3890**
 License Type: **Beverage Dispensary**
 D.B.A.*: **No D/B/A**
 Licensee/Applicant: **John Emmi & Ernie Emmi**
 Physical Location: **No Premise**

Mail Address: **21650 Graybill St Chugiak AK 99567**
 Telephone #: **907-229-7135 907-688-0377 Fax**
 EIN: **075-58-6005(Ernie) 076-58-0620 (John)**

Corp/LLC Agent:	Address	Phone	Date and State of Limited Partnership/Corporation	Good standing?
N/A				

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 (%)
John Emmi	8/22/67	21650 Graybill St Chugiak AK 99567	907-688-3633	Owner
Ernie Emmi	8/22/67	4241 E Birchwood Dr Wasilla AK 99654	907-357-3112	Owner
Nancy Emmi	7/9/72	21650 Graybill St Chugiak AK 99567	907-688-3633	Affiliate
Kimberly Emmi	8/16/68	21650 Graybill St Chugiak AK 99567	907-357-3112	Affiliate

If transfer application, current license information:

License #: **3890**
 Current D.B.A.: **The Great Bear Brewing Company**
 Current Licensee: **Pioneer Peak Brewing Company LLC**
 Current Location: **238 N Boundary St**

Additional comments: **None.**

**Date of Birth
 * Doing Business As
 Cc: **Matsu Borough**