



CITY OF GUSTAVUS CITY COUNCIL SPECIAL MEETING

Friday, June 21, 2024 at 5:00 PM
Gustavus City Hall

COUNCIL MEMBERS

Mayor Shelley Owens
Vice Mayor Brian Taylor
Council Members: Janene Driscoll, Rachel Patrick
Jim Mackovjak, Kyle Bishop, Mike Taylor

CITY HALL

City Administrator – Kathy Leary
City Clerk – Liesl Barker
City Treasurer – Ben Sadler
Phone: 907-697-2451 | clerk@gustavus-ak.gov

AGENDA

VIRTUAL MEETING INFORMATION

ID: 876 1173 7268 <https://rb.gy/g8hvsz> **PASSCODE:** 1542 **TEL:** 253-215-8782

ROLL CALL

Reading of the City of Gustavus Vision Statement

NEW BUSINESS

1. QUASI-JUDICIAL Matter City of Gustavus waives the right to file a protest of the transfer of the Slack Tide LLC Restaurant/Eating Place liquor license to Gustavus Holding LLC

ADJOURNMENT

POSTED ON: June 19, 2024 at P.O, Library, City Hall & <https://cms.gustavus-ak.gov/>

The public is welcome to testify during this hearing or may send comments by email to clerk@gustavus-ak.gov to be read at the time of the hearing. Please do not speak to any council members regarding this hearing prior to the time of the hearing since it is a Quasi-Judicial matter.

ADA NOTICE

Any person with a disability who requires accommodations in order to participate in this meeting should telephone the City Clerk's office at (907) 697-2451, at least 48 hours prior to the meeting in order to make a request for a disability related modification or accommodation.

VISION STATEMENT

We envision a distinctive community:

- *That prospers while and by protecting its natural resources;*
- *With a sustainable economy and infrastructure that assures public health and safety while promoting personal development and initiative; and*
- *Where all members take social responsibility and actively participate in decision making affecting growth, development, regulation and enforcement; and*
- *In which people retain a closeness with and caring for each other individually and collectively while working together to accomplish community goals and preserve community traditions.*



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community and Economic Development Item 1.

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

June 15, 2024

City of Gustavus

VIA Email: clerk@gustavus-ak.gov

License Type:	Restaurant or Eating Place	License Number:	6092
Licensee:	Gustavus Holdings LLC		
Doing Business As:	Red Rooster		
Premises Address	25 State Dock Road, Gustavus		

- New Application**
 Transfer of Ownership Application
 Transfer of Location Application
 Transfer of Controlling Interest Application

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant’s proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Joan Wilson, Director
amco.localgovernmentonly@alaska.gov

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-01: Transfer License Application

Why is this form needed?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304 of the Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260, AS 04.11.280, AS 04.11.290, and 3 AAC 304.105.

This form must be completed and submitted to AMCO's Anchorage office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 – Transferor Information

Enter information for the **current** licensee and licensed establishment.

Licensee:	Slack Tide, LLC	License #:	6092
License Type:	Restaurant/Eating Place	Statutory Reference:	
Doing Business As:	Sunnyside Eatery		
Premises Address:	25 State Dock Road		
City:	Gustavus	State:	AK
		ZIP:	99826
Local Governing Body:	City of Gustavus		

Transfer Type:

- Regular transfer
- Transfer with security interest
- Involuntary retransfer

OFFICE USE ONLY	
Complete Date:	Transaction #: #100788800
Board Meeting Date:	License Years:
Issue Date:	Examiner:

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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Alcohol and Marijuana Control Off
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Item 1.

Section 2 – Transferee Information

Enter information for the **new** applicant and/or location seeking to be licensed.

Licensee:	Gustavus Holdings LLC				
Doing Business As:	Red Rooster				
Premises Address:	25 State Dock Road				
City:	Gustavus	State:	AK	ZIP:	99826
Community Council:	City of Gustavus				

Mailing Address:	Po Box 14				
City:	Gustavus	State:	AK	ZIP:	99826

Designated Licensee:	Gustavus Holdings LLC				
Contact Phone:	907-209-0305	Business Phone:	907-697-2481		
Contact Email:	Toshcoak@gmail.com				

Seasonal License? Yes No If "Yes", write your six-month operating period: _____

Section 3 – Premises Information

Premises to be licensed is:

- an existing facility
- a new building
- a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.
If more space is needed, please attach a separate sheet with the required information.
The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	

Section 5 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.
If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	Layne Parker				
Title(s):	Managing Member	Phone:	907-209-0305	% Owned:	100
Address:	Po Box 14				
City:	Gustavus	State:	AK	ZIP:	99826

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Item 1.

Alaska Alcoholic Beverage Control Board Form AB-01: Transfer License Application

Entity Official:				
Title(s):	Phone:		% Owned:	
Address:				
City:	State:		ZIP:	

Entity Official:				
Title(s):	Phone:		% Owned:	
Address:				
City:	State:		ZIP:	

Entity Official:				
Title(s):	Phone:		% Owned:	
Address:				
City:	State:		ZIP:	

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	101757	AK Formed Date:	6/12/2006	Home State:	AK
Registered Agent:	Layne Parker	Agent's Phone:	907-209-0305		
Agent's Mailing Address:	2 Denasty Rd, Po Box 14				
City:	Gustavus	State:	AK	ZIP:	99826

Residency of Agent: Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Section 7 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

Rachel Patrick, Restaurant Manager

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Item 1.

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Alaska Alcoholic Beverage Control Board
Form AB-01: Transfer License Application

Section 8 – Transferor Certifications

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of perjury that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve of the transfer of this license, and find the information on this application to be true, correct, and complete.

Signature of transferor

Camille Bacon-Schulter

Printed name of transferor

Subscribed and sworn to before me this 28th day of February, 2024.

Signature of Notary Public



Notary Public in and for the State of Alaska.

**POSTMASTER
 PO BOX 9998
 GUSTAVUS AK 99826**

My commission expires: 07/08/2027

 Signature of transferor

 Printed name of transferor

Subscribed and sworn to before me this ____ day of _____, 20____.

 Signature of Notary Public

Notary Public in and for the State of _____.

My commission expires: _____

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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

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550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
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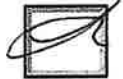
Item 1.

Section 9 - Transferee Certifications

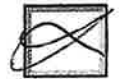
Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.



I certify that all proposed licensees have been listed with the Division of Corporations.



I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.



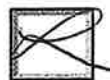
I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.



I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.



I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.



Signature of transferee
Layne Parker
Printed name



Signature of Notary Public
Alaska
Notary Public in and for the State of

My commission expires: 07/08/2027

Subscribed and sworn to before me this 16th day of February, 2024.

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Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

Why is this form needed?

A detailed diagram of the proposed licensed premises is required for all alcohol license applications, per AS 04.11.260, 3 AAC 305.630 and 3 AAC 305.660. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing.

This form must be completed and submitted to AMCO's Anchorage office before any license application will be considered complete. You may attach blueprints or other detailed drawings that meet the requirements of this form.

The diagram MUST include:

- You must use a **solid, contiguous red line** to outline the outer perimeter of your premises with no breaks or separations.
 - The red outline is required to follow a physical barrier (wall, fence and even across doorways).
 - There should be no red lines within the perimeter
- Each area should be clearly labeled in any color other than red where alcohol is:
 - Stored
 - Served/Sold
 - Manufactured
 - Consumed
- All diagrams must include:
 - Dimensions (AMCO does not accept diagrams drawn to scale)
 - Cross streets
 - Points of reference, such as a compass rose indicating True North
 - All entrances, exits, walls, bars, and fixtures
- If your premises include multiple floors, please include a separate diagram of each floor.
 - You must identify the stairs between each floor, and each hallway/corridor that leads to each set of stairs.
- If your premises includes multiple floors, please include a separate diagram of each floor. You must identify the stairs between each floor, and each hallway/corridor that leads to each set of stairs.
- If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.
- **Any license applications that include outdoor space** are required to submit a security plan that includes information about the barriers, practices, and personnel that are to be used to ensure that alcohol is not introduced or removed from the permitted premises and to prevent the access of alcohol by a minor during the permitted event. A security plan may be requested for other proposed locations on a case-by-case basis.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	Gustavus Holdings, LLC	License Number:	6092		
License Type:	Restaurant / Eating Place				
Doing Business As:	Red Rooster				
Premises Address:	25 State Dock Road				
City:	Gustavus	State:	AK	ZIP:	99826

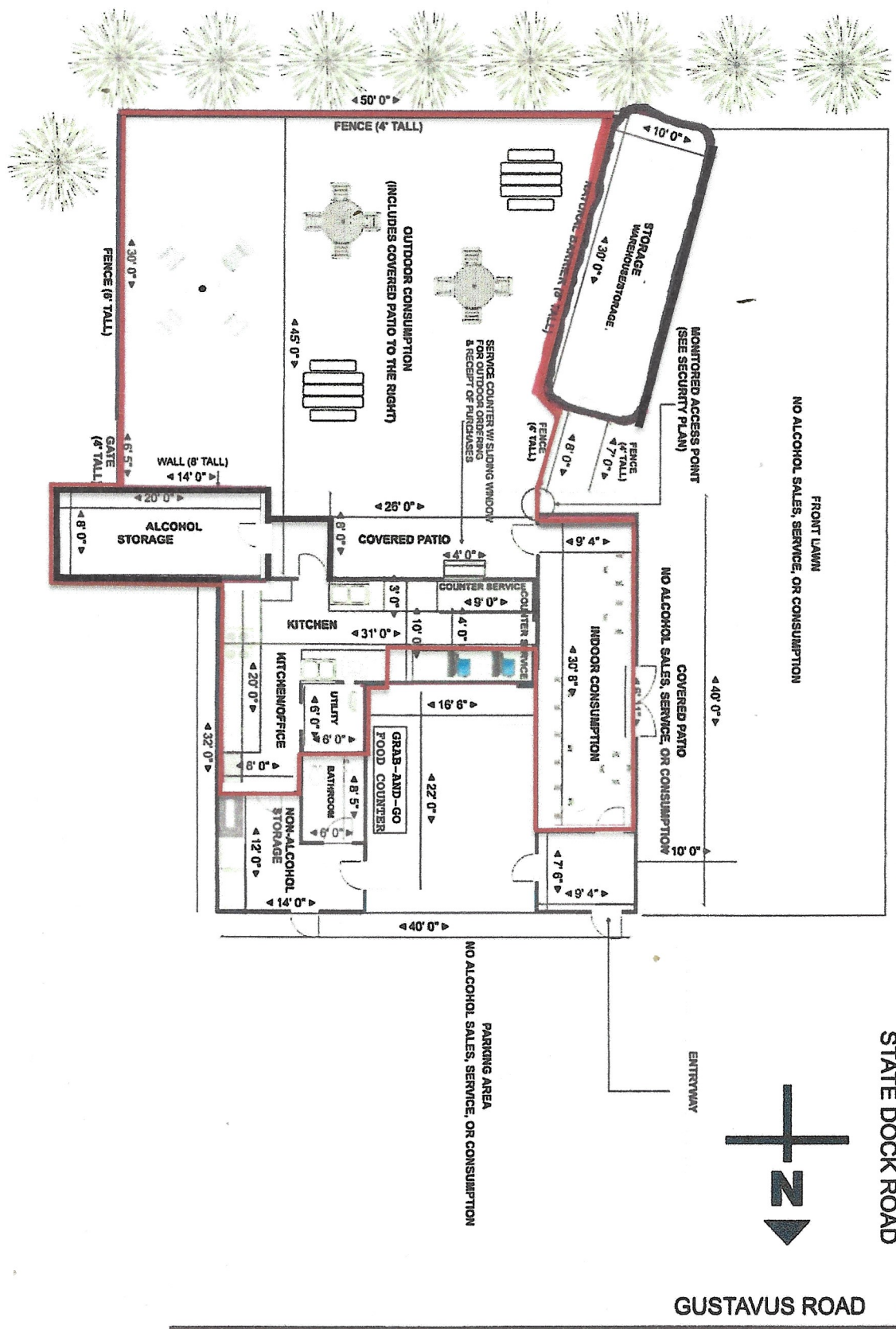


Alaska Alcoholic Beverage Control Board
Form AB-02: Premises Diagram

Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. See above for detailed instructions.

See Attached Diagram



Security Plan

For

Gustavus Holdings, LLC DBA Red Rooster

For purpose of this security plan. The term "Premises" means the area designated for alcohol service and/or consumption on the diagram provided with this application, which area is outlined in red thereon.

1. All minors on the premises must be accompanied by an adult over the age of 21 when any alcohol is being served/sold/consumed on the premises. Proper signage at points of entry indicating no minors without a parent or legal guardian over the age of 21 will be posted.
2. All patrons will be carded to verify they are at least 21 years old before they are permitted to purchase or consume alcohol on the Premises. The owner and all staff will be trained in the identification of fake IDs.
3. The owner and/or trained staff will be present at all times to monitor the consumption of alcohol on the Premises and to ensure compliance with all rules. Underage persons in particular will be monitored closely by our trained staff to ensure that only those patrons who are over the age of 21 and have been carded purchase and/or consume alcoholic beverages.
4. Alcohol will only be sold at the areas designated for counter service on the attached diagram.
5. Alcohol will only be consumed in the areas designed for outdoor consumption and indoor consumption on the attached diagram. Patrons will not be permitted to take alcohol from the outdoor consumption area or the indoor consumption area of the premises to any other area.
6. The outdoor consumption area is demarcated by the following barrier/boundaries:
 - The southern boundary is a 4-foot-tall wooden fence, as shown on the attached diagram.
 - The eastern boundary is a 6-foot-tall wooden fence and a 4-foot-tall gate, all as shown on the attached diagram.

- The northern boundary is the exterior southern wall of the building itself, all as shown on the attached diagram.
 - The western boundary is an 8-foot-tall root cellar and a 4-foot-tall fence attached thereto, all as shown on the attached diagram.
7. The area identified as a “monitored access point” on the attached diagram (see the middle of the western boundary of the Premises, between the 4 foot fence demarcating the western boundary of the outdoor consumption area and the exterior southern wall of the indoor consumption area) will be monitored by trained staff to ensure (i) alcohol is not carried through this access point and (ii) all minors passing into the Premises via the access point are accompanied by an adult over the age of 21.
 8. Proper egress from Premises (including the areas for outdoor and indoor consumption) will always remain unobstructed per life and safety guidelines and applicable law.
 9. AMCO mandated posters and any others required by applicable law will be posted within the Premises and at the entrances and exits of the indoor consumption area and the outdoor consumption area, as applicable.
 10. All entrances to, and exits from, the outdoor consumption area and indoor consumption area will provide clear signage that NO ALCOHOL IS ALLOWED BEYOND DESIGNATED ALCOHOL CONSUMPTION AREAS (or such other language as AMCO requests be used on such signage). Our trained staff will monitor the outdoor consumption area, the indoor consumption area and the areas on the property outside the Premises to ensure that patrons understand and abide by this rule. Patrons will not be permitted to take alcohol from the outdoor consumption area, except to the indoor consumption area, and vice versa.
 11. The Alcohol Storage Room is only accessible through the kitchen as shown on the attached diagram. This lockable room is accessible only by staff and under 24/7 video surveillance. Under no circumstances will the Alcohol Storage Room be accessible by any patron or other member of the public regardless of age. The transport of alcohol from the Alcohol Storage Room to the counter service area will be done by the manager and/or trained staff only.
 12. The safety of all patrons and ensuring the outdoor and indoor consumption areas are functional without any increased risk to minors with respect to alcohol access or exposure, will ALWAYS be top priorities for Red Rooster and an integral part of our training regime for our staff.

Red Rooster

Made To Order Sandwiches

Pick your bread:

White, Wheat, Rye, Sourdough, Gluten Free 7 Grain

Pick your meat:

Turkey, Ham, Corned Beef, Roast Beef

Pick your Cheese:

Cheddar, Swiss, American, Pepperjack

Pick your Sauces:

Mayonnaise, Mustard, 1000 Island, Chipotle Mayo, BBQ

Pick your Toppings:

Lettuce, Tomato, Onion, Pepperoncini, Jalapenos

Add Ons (additional price per item)

Bacon, Avocado Spread, Double Meat, Double Cheese, Toasted

Fixed Menu Sandwiches

Grilled Cheese- (Grilled on white with cheddar cheese)

Reuben- (Grilled on Rye with Corned beef, 1000 Island and Sauerkraut)

Club- (Toasted on white with Turkey, Bacon, Cheddar, Mayo, Ham, Swiss, Lettuce and Tomato)

BLT- (Toasted on white with Bacon Lettuce Tomato and Mayo)

Grab and Go

Hotdog-

- Combo (fountain drink)
- Add Chili

Hot Wings- (6pc)

- Combo (fountain drink)

Pulled Pork Sandwich -

- Combo (fountain drink)

Spicy Chicken Sandwich -

- Combo (fountain drink)

Nachos- With Cheese

Soup Of the Day- Cup

Chili- Cup

Fountain Soda-

Red Bull Spritzer-

Soft Serve

Cone or Cup- (Rotating flavors. Assorted toppings at an additional charge)

Motherlode- (Vanilla ice cream base, choose up to 2 toppings mixed in)