

Submitted by: Assemblymembers MEYER and  
Wuerch

CLERK'S OFFICE

**AMENDED AND APPROVED**

Prepared by: Assembly Office

For reading: January 27, 1998

Date: 1-27-98

*5-5-98 Amended Smetana  
Previously Adopted*

ANCHORAGE, ALASKA  
AR NO. 98-11(S)

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY PROTESTING THE  
CONTINUED OPERATION OF A BEVERAGE DISPENSARY LIQUOR LICENSE AT 3230  
OLD SEWARD HIGHWAY, ANCHORAGE, ALASKA DBA THE CAPTAIN'S CLUB**

The Anchorage Assembly finds that

WHEREAS, the Anchorage Municipal Assembly has received documentary evidence  
pertaining to the continued operation of a liquor license; and

WHEREAS, the evidence presented to the Municipal Assembly has raised material,  
serious, and substantial questions relating to the ability of the licensee to comply with local and  
State laws in the operation of the establishment; and

WHEREAS, when the application to transfer the license to the current owners was  
addressed, the Assembly questioned and was assured by the owners that the current ABC laws  
were fully understood, and that TAMS training for all staff would be undertaken; and

WHEREAS, in accordance with the requirements in AMC 2.30.125 B., the licensee has  
failed to demonstrate prospective or continued compliance with TAMS training; and

WHEREAS, in accordance with AMC 2.30.125 C., the licensee has failed to  
demonstrate prospective or continued compliance with operations procedures for licenced  
premises, in that operating after closing hours was observed on two occasions; and

WHEREAS, in accordance with AMC 2.30.125 D. and H., the licensee has failed to  
demonstrate the ability to maintain order and prevent unlawful conduct injurious to public  
health and safety, in that on August 4, 1997, an assault was reported to the Anchorage Police  
Department.

NOW, THEREFORE, the Anchorage Assembly resolves

**Section 1:** That for the reasons set forth above and subject to ~~Section 2 of this~~  
~~resolution and provided the Alcoholic Beverage Control Board makes~~ the following conditions  
permanent conditions of the subject beverage dispensary license, the Municipality of  
Anchorage hereby waives protest of the continued operation of the beverage dispensary liquor  
license for ~~Demir Redzepi and Ghong Wick dba~~ The Captain's Club, 3230 Old Seward  
Highway, Anchorage, Alaska/. The conditions, effective March 1, 1998 and continuing  
until the licensee's next, regular biennial renewal are:

A. The Captain's Club shall be closed for sale, service, and consumption of  
alcoholic beverages between the hours of 2:00 a.m. and 10:00 a.m. Monday  
through Friday, and between the hours of 2:30 a.m. and 10:00 a.m. on Saturday  
or Sunday or on a legal holiday recognized by the state under AS 44.12.010.

B The Captain's Club shall limit the number of hired help for clean-up purposes  
after closing to a maximum of four persons.

C. That the Captain's Club, in accordance with Municipal and State law, provide full cooperation with the Anchorage Police Department and ABC personnel when appearance on the premises by either is deemed necessary.

D. \*See Below.

~~Section 2: That if the Alcoholic Beverage Control Board declines or fails to impose the conditions set forth in Section 1. of this resolution as temporary conditions of the subject license effective March 1, 1998 and until the licensee's regular renewal is considered by the Assembly, then in that event and for the reasons set forth above in the preamble of this resolution the Municipality of Anchorage does hereby protest the continued operation of the beverage dispensary liquor license at 3230 Old Seward Highway, Anchorage, Alaska, D/B/A the Captain's Club.~~

<sup>2</sup>  
~~Section 3:~~ That the Municipal Attorney is requested to take appropriate steps to use any document or evidence necessary to effectively advance the position of the Municipality at any hearing before the State Alcoholic Beverage Control Board.

<sup>3</sup>  
~~Section 4:~~ That this resolution is effective immediately upon passage and approval.

PASSED AND APPROVED by the Anchorage Municipal Assembly this 27 day of  
January, 1998.

  
Chair

ATTEST:

  
Municipal Clerk

EGJ/1998RESOLUTIONS/AR02

D. That violation of any of these conditions shall result in the Municipality's protest of renewal or continuation of the license.

(Clerk's Note: On May 5, 1998 the Assembly further amended AR 98-11(S) by Section 1, deleted Section 2 and renumbering remaining sections accordingly.)