

Submitted by: Assembly Member Wohlforth

Prepared by: Department of Law

For reading: December 15, 1998

ANCHORAGE, ALASKA

AR NO. 98-410

A RESOLUTION DETERMINING WHETHER TO PROTEST THE RENEWAL OF THE BEVERAGE DISPENSARY LICENCE AND DUPLICATE LICENSE FOR LLD. INC., d/b/a THE HUB, LOCATED AT 122 E. FOURTH AVENUE, ANCHORAGE, ALASKA.

WHEREAS, the Hub is a bar at 122 E. Fourth Avenue in Anchorage operating under a beverage dispensary license and duplicate beverage dispensary license (both hereinafter referred to as the "License") issued for said premises in the name of LLD., Inc. d/b/a The Hub (hereinafter referred to as the "The Hub"); and

WHEREAS, the Assembly conditionally protested the renewal of the Hub License by Assembly Resolution ("AR") 94-30 (As Amended), amended by Assembly Memorandum 1025-96 (Amended), copies of which are attached hereto; and

WHEREAS, since 1994, the Assembly has repeatedly considered proposals to protest or condition the license of The Hub based on a pattern of violations of liquor laws and of failure to prevent violent crimes and drug possessions; and

WHEREAS, police incident summaries for the fourth quarter of 1997 through the fourth quarter of 1998 indicate that, despite previous second changes granted by the Assembly, the patterns of unlawful activity and violation of protest conditions at and by The Hub have continued; and

WHEREAS, the Assembly held a hearing on whether to protest the renewal of the beverage dispensary license and duplicate license for LLD., Inc., d/b/a The Hub, located at 122 East Fourth Avenue, Anchorage, Alaska on January 5, 1999; and

WHEREAS, after hearing and upon the testimony and evidence submitted, the Assembly finds that:

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now therefore,

THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1. [1st alternate] That based on the findings above set forth, the Anchorage Municipal Assembly hereby protests the renewal of the beverage dispensary license and duplicate license for LLD.,

1 Inc., d/b/a The Hub, located at 122 East Fourth Avenue, Anchorage, Alaska.

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3 **Section 1. [2d alternate]** That based on the findings above set forth, the Anchorage Municipal
4 Assembly hereby protests the renewal of the beverage dispensary license and duplicate license for LLD.,
5 Inc., d/b/a The Hub, located at 122 East Fourth Avenue, Anchorage, Alaska, unless the following conditions
6 are made permanent conditions of the licenses:
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8 **CONDITIONS:**

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26 If the Alcohol Beverage Control Board fails or refuses to attach the above conditions to the Licenses, then
27 the Municipal Assembly protests the renewal thereof.
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29 **Section 1. [3rd alternate]** The Anchorage Assembly waives protest of the renewal of the beverage
30 dispensary license and duplicate license for LLD., Inc., d/b/a The Hub, located at 122 East Fourth Avenue,
31 Anchorage, Alaska.
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33 **Section 2.** The Municipal Attorney is directed to take appropriate steps to implement and/or present this
34 resolution to the Alcohol Beverage Control Board.
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36 **Section 3.** This resolution shall become effective immediately upon passage and approval by the
37 Assembly.
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39 PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 1999.
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42 _____
Chair of the Assembly

43 ATTEST:

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45 _____
46 Municipal Clerk

CLERK'S OFFICE
AMENDED AND APPROVED
Date: 12-17-96

MUNICIPALITY OF ANCHORAGE
ASSEMBLY MEMORANDUM
NO. AM 1025-96 (Amended)

Meeting Date: November 26, 1996

FROM: Municipal Clerk

SUBJECT: 1997-1998 Liquor License Renewal

The Municipality of Anchorage has received from the Alcoholic Beverage Control Board application(s) for the renewal of the following liquor license(s):

<u>License Holder</u>	<u>License Type</u>	<u>Taxes Owed</u>
The Hub	Beverage Dispensary	
122 E. Fourth Ave		
Anchorage, AK		
The Hub (Downstairs)		
122 E. Fourth Ave		
Anchorage, AK		

The Anchorage Police Department has supplied incidents occurring to date for evaluation by the Assembly. The last day to protest is January 3, 1997.

Approval of this memorandum will protest the renewal unless the amended list of conditions in AR 94-30 (As Amended) are made permanent conditions of the license, or if taxes are owing. This memorandum will authorize the Municipal Clerk to notify the ABC Board of the Assembly's Actions.

Respectfully submitted,


Lejane Ferguson
Municipal Clerk

** The Assembly amended the previous conditions specified in AR 94-30 (Amended & Approved February 1, 1994) as attached.

encl: AR 94-30
approved 2/1/94

THE HUB LIQUOR LICENSE PERMANENT CONDITIONS
(as of December 17, 1996)

Security according to the following schedule: One person until 9 P.M. Sundays through Wednesdays, two after 9 P.M.; Thursdays through Saturdays one until 7 P.M., two 7 P.M. through 9 P.M. and four after 9 P.M. All security personnel to be TAMS trained.

2. Metal detectors shall be used to check all patrons entering the establishment for weapons.
3. No intoxicated person shall be allowed to remain on the premises; no customer may sleep on the premises; no patrons with weapons will be allowed on the premises.
4. Lighting shall be installed sufficient for police officers and security to be able to identify and observe the activities of all patrons.
5. The establishment shall prepare a list of patrons not to be served because of drinking, disorderly behavior or other problems.
6. The licensee shall appear before the Assembly on August 7, 1997 to review compliance with these conditions and applicable laws.
7. The licensee will maintain a video camera recording the interior and exterior of the establishment. The tapes from the video camera shall be kept for three days for viewing by the police.
8. The owner or manager will attend monthly meetings of the Downtown Community Council.
9. The owner or manager will meet monthly with representatives of the Anchorage Police Department. Such meetings may occur at the Downtown Community Council.
10. Signs will be posted alerting patrons of video cameras on the premises.

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2 CLERK'S OFFICE
3 AMENDED AND APPROVED
4 Date: 2-1-94
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Submitted by: Assemblymember
Wohlforth
Prepared by: Assembly Policy
and Budget Office
For reading: January 25, 1994

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7 ANCHORAGE, ALASKA
8 AR NO. 94-30 (As Amended)
9

10 A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY PROTESTING THE
11 RENEWAL OF A BEVERAGE DISPENSARY LIQUOR LICENSE AT THE HUB, 122 E.
12 4TH AVENUE, ANCHORAGE, ALASKA 99501
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15 WHEREAS, AMC 10.50.030 states that "...the Assembly shall
16 consider whether the proposed license meets each and every factor
17 and standard set forth regardingpublic safety;" and
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19 WHEREAS, AMC 10.50.030 (D.) states that "the Assembly shall
20 consider whether the operator can demonstrate the ability to
21 maintain order and prevent unlawful conduct in a licensed
22 premises;" and
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24 WHEREAS, the Anchorage Municipal Assembly has received
25 evidence demonstrating the applicant's inability to maintain order;
26 and
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28 WHEREAS, the evidence presented to the Municipal Assembly has
29 raised material, serious, and substantial questions relating to the
30 ability of the licensee to conduct the business in compliance with
31 State and local laws; specifically, the Assembly considers the
32 continued operation of this facility to be in conflict with the
33 interests of public safety.
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35 NOW, THEREFORE, the Anchorage Assembly resolves:
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37 Section 1: That for reasons set forth above, the Municipality
38 of Anchorage does hereby protest the renewal of the beverage
39 dispensary liquor license application pending for Lloyd L. Dahl,
40 dba: The Hub, 122 E. 4th Avenue, Anchorage, Alaska 99501; unless
41 the following conditions are made permanent conditions of the
42 license:
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44 1. At all times when the establishment is open, at least two
45 indoor and two outdoor security persons shall be on duty. Two
46 additional security personnel shall be on duty on the weekends
47 at night. All security personnel to be TAMS trained.
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49 2. An entrance on the side parking lot shall be the primary
50 entrance by July 1.
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52 3. Metal detectors shall be used to check all patrons
53 entering the establishment for weapons.
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55 4. No intoxicated person shall be allowed to remain on the
56 premises; no customer may sleep on the premises; no patrons
57 with weapons will be allowed on the premises.
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6 5. Lighting shall be installed sufficient for police officers
7 and security to be able to identify and observe the activities
8 of all patrons.

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10 6. The establishment shall prepare a list of patrons not to
11 be served because of drinking, disorderly behavior or other
12 problems.

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14 7. The licensee shall appear before the Assembly on August 2,
15 1994 to review compliance with these conditions and applicable
16 laws.

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18 8. The licensee will maintain a video camera recording the
19 interior and exterior of the establishment. The tapes from
20 the video camera shall be kept for three days for viewing by
21 the police.

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23 9. The owner or manager will attend monthly meetings of the
24 Downtown Community Council.

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26 10. The owner or manager will meet monthly with
27 representatives of the Anchorage Police Department. Such
28 meetings may occur at the Downtown Community Council.

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30 Section 2: That the Municipal Attorney is requested to take
31 appropriate steps to use any document or evidence necessary to
32 effectively advance the position of the Municipality at any hearing
33 before the State Alcoholic Beverage Control Board.

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35 PASSED AND APPROVED by the Anchorage Assembly this 1 day of
36 February, 1994.

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39 Chair

40 ATTEST:

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45 Municipal Clerk

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47 EGJ:egjDOCG/AR06