

Submitted by: PAUL BAUER,  
Dick Traini,  
Pamela Jennings,  
Allan Tesche,  
Assembly Members

CLERK'S OFFICE  
**AMENDED AND APPROVED**  
Date:.....3-28-06.....

Prepared by: Assembly Counsel and  
Department of Law  
For reading: March 28, 2006

ANCHORAGE, ALASKA  
AR No. 2006-75

1 A RESOLUTION RECOMMENDING IMPOSITION OF CONDITIONS UPON THE  
2 PANHANDLE BAR LIQUOR LICENSE BY THE ALCOHOLIC BEVERAGE AND CONTROL  
3 BOARD.  
4

5  
6 WHEREAS, on March 14, 2006, the issue of renewal of the Panhandle Bar liquor license was  
7 bifurcated from other licensing issues under AM 146-2006 and referred to the Assembly's Public  
8 Safety Committee; and  
9

10 WHEREAS, on March 24, 2006, the Assembly's Public Safety Committee discussed issues and  
11 concerns with counsel representing the Panhandle Bar; and  
12

13 WHEREAS, due to Anchorage Police Department's concern regarding use of fake identification and  
14 underage consumption of alcohol in the downtown area, and the general reputation of the Panhandle  
15 Bar as a resort for illegal possessors or users of narcotics as well as a location permitting over  
16 consumption of alcohol, it is appropriate to recommend conditions be added to the Panhandle Bar  
17 liquor license; and  
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19 WHEREAS, the Anchorage Police Department and the Panhandle Bar met to discuss and arrive at an  
20 agreement of joint cooperation; and  
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22 WHEREAS, the Municipality recommends imposition of conditions, set out below, as reflected in  
23 the joint agreement between Anchorage Police Department and the Panhandle Bar; now, therefore,  
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25 THE ANCHORAGE ASSEMBLY RESOLVES:  
26

27 **Section 1.** The Municipality requests the Alcoholic Beverage and Control Board to impose the  
28 conditions set out in the Memorandum from Panhandle Bar and Anchorage Police Department dated  
29 March 27, 2006 and referenced "Joint Cooperation" and as set out in Paragraph 2 in the  
30 Memorandum from Charles A. Dunnagan, Counsel, Panhandle Bar to the Anchorage Assembly  
31 dated March 28, 2006 referencing a Follow Up from the Public Safety Committee Meeting of  
32 March 24, 2006. Both documents are attached hereto and incorporated herein by reference in their  
33 entirety.  
34

35 **Section 2.** In addition to the conditions described in Section 1 above, the Panhandle Bar shall  
36 also report back to the Assembly in 90 days **from the date of passage of this resolution**, either in

1 person or by memorandum, on effectiveness and compliance with the conditions imposed by this  
2 resolution.  
3

4 **Section 3.** This resolution shall be effective immediately upon its passage and approval by the  
5 Assembly and, pursuant to Anchorage Municipal Code section 2.30.120D., forwarded to the  
6 Alcoholic Beverage and Control Board recommending imposition of the conditions pursuant to AS  
7 04.11.480(c).  
8

9 PASSED AND APPROVED by the Anchorage Assembly this 28<sup>th</sup> day of March,  
10 2006.  
11

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13  
14 Anna L. Fairclough  
15 Chair of the Assembly  
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17  
18 ATTEST:  
19

20 Barbara S. Dement  
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22 Municipal Clerk  
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27



# Jermain Dunnagan & Owens, P.C.

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SERVING ALASKANS SINCE 1976



## MEMORANDUM

**DATE:** March 28, 2006

**TO:** Anchorage Assembly

**FROM:** Charles A. Dunnagan, Counsel  
Panhandle Bar

**RE:** Follow Up from Public Safety Committee Meeting of March 24, 2006

1. Meeting with Police. On Monday, March 27, 2006, General Manager Billie Milstead and I met with Chief of Police Monegan and Deputy Chief Holloway. A "joint cooperation" memorandum was reviewed and signed by the parties. Copy attached. Although the police were very cooperative, they made it clear that law enforcement in this area will continue to be aggressive and violations in or by the bar will be prosecuted.

Lieutenant Lorraine Shore will be appointed permanent liaison between the bar and the Department. Contact information was exchanged.

Beginning immediately, the bar will give specific persons suspected of illegal drug activities in or around the bar trespass warnings. If they come into the bar after that, i.e., if they violate our trespass warnings, the police will assist us by making lawful arrests.

The rest of the memo is pretty well self-explanatory except for one thing. We don't regard the memo as the end of the process but the beginning.

2. Additional Compliance. Although not referenced in the joint agreement, the Panhandle Bar has done the following additional things. All bartenders will be attending a TAM refresher course. In addition, the expiration dates for all of our employees' TAM cards are now computerized so that both we and the employee will start getting reminders 30 days prior to the expiration dates. Secondly, all of our doormen will be required to do the security training offered through CHAR.

3. License Protest. Although the Panhandle has been fully cooperative with the safety committee, we have not waived our rights under AMC 2.30.120.D, E, and F. We read the law as requiring a public hearing on 21 days notice before the Assembly can protest the renewal of a license. That said, the Panhandle wishes to reemphasize that it has not attempted to avoid its responsibilities on technical grounds but has instead followed a policy of full compliance and full cooperation.

Attachment

## MEMORANDUM

**DATE:** March 27, 2006  
**TO:** Anchorage Municipal Assembly  
**FROM:** Panhandle Bar and the Anchorage Police Department  
**RE:** Joint Cooperation

In response to the concerns voiced by the Anchorage Police Department and the Municipal Assembly, which concerns are shared by the Panhandle Bar, the parties have agreed to the following:

1. At least monthly, if not more often, representatives of APD will meet with Billy Milstead, the Bar Manager. The meetings will be for the purpose of informal discussions of ongoing issues and problems. Additionally, the police will have contact information for the Panhandle Bar and the Panhandle Bar will have contact information for the police so that either can contact the other at any time regarding problems of mutual concern.
2. The Panhandle Bar reserves the right to refuse service to anyone. The Panhandle Bar will refuse service to undesirables identified by APD.
3. Prior to the public inquiry, the bar had planned to install three new video surveillance cameras. They are now in and we have 16 total. The entire public floor space of the bar, excluding bathrooms, is now surveilled. Surveillance tapes (DVDs) from any of the cameras will be made available to APD free of charge upon request.
4. Although the back door of the bar, upon request of the police, is no longer used as an entrance, we still have surveillance cameras at the back of the bar. Since our doormen are now stationed at the single entrance to the bar at the front, we are in the process of installing a video monitor at the front so that our doormen can monitor activities behind the bar as shown on our camera system. Suspicious activity occurring behind the bar will be phoned into the police.
5. Within the limits of the law and our insurance coverage, we will become more proactive in preventing loitering in front of the bar, particularly with respect to persons suspected of illegal drug activity. Since we are not the police, we expect to work closely with the police on this.

The Panhandle Bar will extend every reasonable cooperation with police efforts. The list above is not intended to be all inclusive or to exclude any future cooperation. We are not naïve enough to think the problems in this area can be solved overnight or that they can be solved by efforts by the Panhandle Bar by itself. Nonetheless, we believe that the mutual cooperation which this agreement memorializes is a large step in the right direction.

PANHANDLE BAR

Date: 3-27-06

By: Billy Milstead

ANCHORAGE POLICE DEPARTMENT

Date: 3/27/06

By: WALT MONEGAN