

Submitted by: ASSEMBLY CHAIR OSSIANDER,
VICE-CHAIR HALL AND ASSEMBLY
PUBLIC SAFETY
COMMITTEE CHAIR HONEMAN

CLERK'S OFFICE

Prepared by: Municipal Clerk

For reading: December 13, 2011

APPROVED

Date: 12-13-11

ANCHORAGE, ALASKA

AR NO. 2011-335

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS PROTEST REGARDING A TRANSFER OF LOCATION AND OWNERSHIP OF A BEVERAGE DISPENSARY LIQUOR LICENSE #2988 AND RESTAURANT DESIGNATION PERMIT FOR F. SCOTT & ERNEST, LLC dba LITTLE ITALY RESTAURANTE, LOCATED AT 2300 EAST 88TH STREET, AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE CERTAIN ACTION.

WHEREAS, F. Scott & Ernest, LLC has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for a Transfer of Location and Ownership of a Beverage Dispensary Liquor License #2988 and Restaurant Designation Permit, to be used for Little Italy, located at 2300 East 88th Street, Anchorage, Alaska; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on October 20, 2011 and has determined that the last day for the Assembly to file a protest is December 19, 2011 and

WHEREAS, the Assembly Meeting on December 13, 2011 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. No ABC Board violations and/or incidents that would lead to an ABC Board violation;
2. No taxes owing to the Municipality of Anchorage;
3. Anchorage Fire Department approval **has** been received;
4. Conditional Use Permit required by AMC 21.50.160; **has not** been approved;
5. Approvals from the Municipal Health & Human Services and Building Safety Departments **have been received**; and

WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation that outstanding items required for this location have been completed;

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:


Section 1. The Anchorage Assembly hereby enters its PROTEST for a Transfer of Location and Ownership of a Beverage Dispensary Liquor License #2988 and Restaurant Designation Permit until these conditions are met:

- Successful completion of the Conditional Use Permit under AMC 21.50.160 is confirmed by the Municipal Clerk.

Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing of Beverage Dispensary Liquor License #2988 and Restaurant Designation Permit under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.

Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk confirmation that all conditions in Section 1 have been met, to provide written notification to the Alcoholic Beverage Control Board that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 13th day of December, 2011.


Chair

ATTEST:


Municipal Clerk



State of Alaska
Department of Public Safety
Alcoholic Beverage Control Board

Sean Parnell, Governor
Joseph A. Masters, Commissioner

October 19, 2011

Municipality of Anchorage
Attn: Municipal Clerk
VIA Email: munilicenses@muni.org

F. Scott & Ernest, LLC DBA Little Italy Restaurante Beverage Dispensary License #2988

☐ New Application ☒ Transfer of Ownership ☒ Transfer of Location
☒ Restaurant Designation Permit ☒ DBA Name Change

We have received an application for the above listed licenses (see attached application documents) within your jurisdiction. This is the notice as required under AS 04.11.520. Additional information concerning filing a "protest" by a local governing body under AS 04.11.480 is included in this letter.

A local governing body as defined under AS 04.21.080(11) may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the board **and** the applicant with a clear and concise written statement of reasons in support of a protest within 60 days of receipt of this notice. If a protest is filed, the board will not approve the application unless it finds that the protest is "arbitrary, capricious and unreasonable". Instead, in accordance with AS 04.11.510(b), the board will notify the applicant that the application is denied for reasons stated in the protest. The applicant is entitled to an informal conference with either the director or the board and, if not satisfied by the informal conference, is entitled to a formal hearing in accordance with AS 44.62.330-44.62-630. **IF THE APPLICANT REQUESTS A HEARING, THE LOCAL GOVERNING BODY MUST ASSIST IN OR UNDERTAKE THE DEFENSE OF ITS PROTEST.**

Under AS 04.11.420(a), the board may not issue a license or permit for premises in a municipality where a zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages, unless a variance of the regulation or ordinance has been approved. Under AS 04.11.420(b) municipalities must inform the board of zoning regulations or ordinances which prohibit the sale or consumption of alcoholic beverages. If a municipal zoning regulation or ordinance prohibits the sale or consumption of alcoholic beverages at the proposed premises and no variance of the regulation or ordinance has been approved, please notify us and provide a certified copy of the regulation or ordinance if you have not previously done so.

Protest under AS 04.11.480 and the prohibition of sale or consumption of alcoholic beverages as required by zoning regulation or ordinance under AS 04.11.420(a) are two separate and distinct subjects. Please bear that in mind in responding to this notice.

Alcoholic Beverage Control Board
5848 E Tudor Rd - Anchorage, AK 99507 - Voice (907) 269-0350 - Fax (907) 272-9412

AS 04.21.010(d), if applicable, requires the municipality to provide written notice to the appropriate community council(s).

If you wish to protest the application referenced above, please do so in the prescribed manner and within the prescribed time. Please show proof of service upon the applicant. For additional information please refer to 13 AAC 104.145, Local Governing Body Protest.

Note: Applications applied for under AS 04.11.400(g), 13 AAC 104.335(a)(3), AS 04.11.090(e), and 13 AAC 104.660(e) must be approved by the governing body.

Sincerely,

SHIRLEY A. GIFFORD
Director

/s/ Sarah D. Oates

Sarah D. Oates
Business Registration Examiner
sarah.oates@alaska.gov
(907)269-0356

State of Alaska
Alcoholic Beverage Control Board

Date of Notice: October 19, 2011

Application Type: **NEW**_____

☒ **TRANSFER**
☒ Ownership
☒ Location
☒ Name Change

Governing Body: **Municipality of Anchorage**
Community Councils: **Abbott Loop Community Council**

License #: 2988
License Type: Beverage Dispensary
D.B.A.: Little Italy Restaurant
Licensee/Applicant: F. Scott & Ernest, LLC
Physical Location: 2300 E. 88th St., Anchorage, AK 99507
Mail Address: 2300 E. 88th St., Anchorage, AK 99507
Telephone #: 907-344-1515
EIN: 45-3328955

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
F. Scott & Ernest, LLC	2300 E. 88 th St. Anchorage, AK 99507	907-344-1515	09/15/2011 Alaska	Yes

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 (%)
Spiros Gialopsos Member	01/29/1957	6961 Colonial Court Anchorage, AK 99502	907-344-1515	50%
Vasilios Gialopsos Member	08/24/1985	6961 Colonial Court Anchorage, AK 99502	907-344-1515	50%

If transfer application, current license information:

License #: 2988
Current D.B.A.: River City
Current Licensee: Squid, Inc.
Current Location: 12800 Old Glenn Hwy, Eagle River, AK 99577

Additional comments: Restaurant Designation Permit Application attached.

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Sincerely,

SHIRLEY A. GIFFORD
Director

/s/ Sarah D. Oates

Sarah D. Oates
Business Registration Examiner
sarah.oates@alaska.gov
(907)269-0356

Alcoholic Beverage Control Board
5848 E Tudor Rd
Anchorage, AK 99507

Transfer Liquor License

PAGE 1 OF 2
(907) 269-0350
Fax: (907) 272-9412
www.dps.state.ak.us/abc

This application is for:

- ☐ Seasonal - Two 6-month periods in each year of the biennial period beginning _____ and ending _____
Mo/Day Mo/Day
- ☒ Full 2-year period

wSECTION A - LICENSE INFORMATION. Must be completed for all types of applications.			FEES	
License Year: 2011	License Type: Beverage Dispensary License	Statute Reference Sec. 04.11.090	License Fee: \$	
License #: 2988			Filing Fee: \$100.00	
Local Governing Body: (City, Borough or Unorganized) Municipality of Anchorage	Community Council Name(s) & Mailing Address: Abbott Loop Community Council 1057 W. Fireweed Lane #100 Anchorage AK 99503 atamagni@alaska.net 349-1736		Fingerprint: 5425 (\$34.25 per person) RDP 50.7 Total Submitted: \$204.25	
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): F Scott & Ernest, LLC	Doing Business As (Business Name): Little Italy Restaurant	Business Telephone Number: 344-1515 Fax Number: 349-1358		
Mailing Address: 2300 E. 88 th Street City, State, Zip: Anchorage AK 99507	Street Address or Location of Premise: same	Email Address: gianeka@aol.com cvozar@gci.net		
SECTION B - TRANSFER INFORMATION.				
<input checked="" type="checkbox"/> Regular Transfer <input type="checkbox"/> Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application (15 AAC 104.107). Real or personal property conveyed with this transfer must be described. Provide security interest documents. <input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.		Name and Mailing Address of <i>CURRENT</i> Licensee: Squid, Inc. 1712 Ship Avenue, Anchorage AK 99501 Business Name (dba) <i>BEFORE</i> transfer: River City Street Address or Location <i>BEFORE</i> transfer: 12800 Old Glenn Hwy, Eagle River AK		
SECTION C - PREMISES TO BE LICENSED. Must be completed for <i>RELOCATION</i> applications.				
Closest school grounds: Abbott Loop Elementary	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable		
Closest church: Abbott Loop Community Church	Distance measured under: <input checked="" type="checkbox"/> AS 04.11.410 OR <input type="checkbox"/> Local ordinance No.			
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building	<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached			
Does any individual, corporate officer, director, imited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, complete the following. Attach additional sheets if necessary.				
Name	Name of Business	Type of License	Business Street Address	State
Spiros Gialposos	Little Italy Restaurant	Restaurant-Eating Place	2300 E. 88 th Street	Anchorage, Alaska
Patricia Gialposos	Little Italy Restaurant	Restaurant-Eating Place	2300 E. 88 th Street	Anchorage, Alaska
Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, attach written explanation.				

Office use only

Date Approved

Director's Signature

Liquor License

Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): F Scott & Ernest, LLC		Telephone Number: 344-1515	Fax Number: 907 349 1358
Corporate Mailing Address: 2300 88th Street	City: Anchorage	State: Alaska	Zip Code: 99507
Name, Mailing Address and Telephone Number of Registered Agent: Spiros Gialopsos, 2300 88th Street, Anchorage AK 99507		Date of Incorporation OR Certification with DCED: September 15, 2011	State of Incorporation: Alaska
Is the Entity in compliance with the reporting requirements of Title 10 of the Alaska Statutes? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, attach written explanation. Your entity must be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.			

Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
Spiros Gialopsos	Member	50	6961 Colonial Court, Anchorage AK 99502	344-1515	1-29-1957
Patricia Gialopsos	Member	50	6961 Colonial Court, Anchorage AK 99502	344-1515	10-29-1953
Vasilios Gialopsos	Member	50	6961 Colonial Ct Anch 99502	344-1515	8-24-85

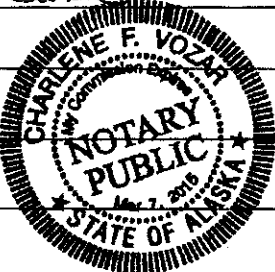
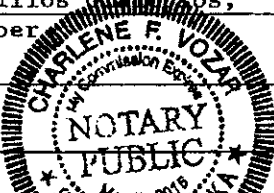
NOTE: On a separate sheet provide information on ownership other organized entities that are shareholders of the licensee.

Individual Licensees/Affiliates (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Patricia Gialopsos Address: 6961 Colonial Court Anchorage AK 99502 Home Phone: Work Phone: 344-1515	Applicant <input type="checkbox"/> Affiliate <input checked="" type="checkbox"/>	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
	Date of Birth: 12-29-53		Date of Birth:
Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>	Name: Address: Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>
	Date of Birth:		Date of Birth:

Declaration

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

Signature of Current Licensee(s)		Signature of Transferee(s)	
Signature <i>David T. McCabe</i>		Signature <i>Patricia Gialopsos</i>	attorney in fact for Spiros Gialopsos <i>Vasilios Gialopsos</i> Member
Signature		Signature <i>Patricia Gialopsos</i>	
Name & Title (Please Print) David McCabe, President		Name & Title (Please Print) Patricia Gialopsos, Member Spiros Gialopsos, Member	
Subscribed and sworn to before me this 10 day of September, 2011. Notary Public in and for the State of Alaska		Subscribed and sworn to before me this 10 day of September, 2011 Notary Public in and for the State of Alaska	
My commission expires: 3-7-15		My commission expires: 3-7-15	

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
APPLICATION FOR RESTAURANT DESIGNATION PERMIT - AS 04.16.049 & 15 AAC 104.715-794

FEE: \$50.00

The granting of this permit allows access of persons under 21 years of age to designated licensed premises for purposes of dining, and persons under the age of 19 for employment. If for employment, please state in detail, how the person will be employed, duties, etc. (13 AAC 104.745).

This application is for designation of premises where: (please mark appropriate items).

- 1 ☒ Under AS 04.16.010(c) Bona fide restaurant/eating place.
2 ☒ Persons between 16 & 21 may dine unaccompanied.
3 ☒ Persons under 16 may dine accompanied by a person 21 years or older.
4 ☒ Persons between 16 and 19 years may be employed. (See note below).

LICENSEE:

F. Scott & Ernest

D/B/A:

Little Italy Restaurant

ADDRESS:

2300 E. 88th Ave

1. Hours of Operation: 5pm to 11pm Telephone # 907-344-1515
2. Have police ever been called to your premises by you or anyone else for any reason: ☒ Yes ☐ No
If yes, date(s) and explanation(s):

Security alarms - attempted 'dine & dash'

3. Duties of employment: Serving, bussing, dishwashing, cooking

4. Are video games available to the public on your premises? No

5. Do you provide entertainment: ☐ Yes ☒ No If yes, describe. _____

6. How is food served? ☒ Table Service _____ Buffet Service _____ Counter Service _____ Other* _____

7. Is the owner, manager, or assistant manager always present during business hours? ☒ Yes ☐ No

*** A MENU AND A DETAILED LICENSED PREMISES DIAGRAM MUST ACCOMPANY THIS APPLICATION ***

This permit remains in effect until the liquor license is transferred OR at the discretion of the Alcoholic Beverage Control Board. (13 AAC 104.795)

I certify that I have read AS 04.16.049, AS 04.16.060, 13 AAC 104.715-795 and have instructed my employees about provisions contained therein.

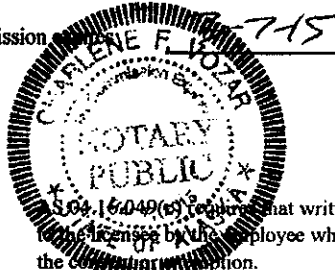
[Signature]
Applicant(s) signature

Subscribed and sworn to before me this

11 day of October, 2011

[Signature]
Notary Public in and for Alaska

My Commission



Application approved (13 AAC 104.725(e))
Governing Body Official

Date: _____

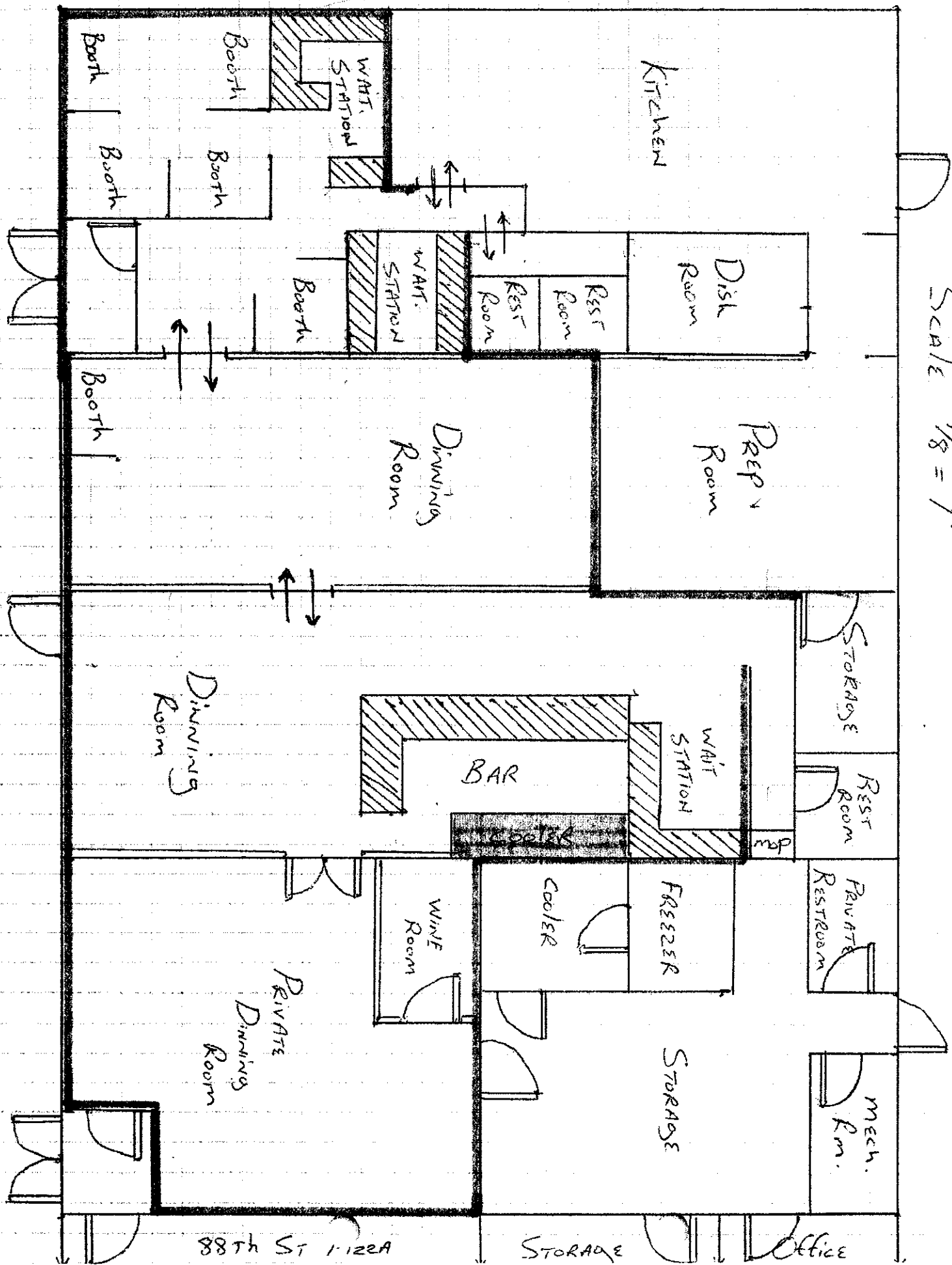
Director, ABC Board

Date: _____

NOTE: AS 04.16.049(c) requires that written parental consent and an exemption by the Department of Labor must be provided for the licensee by the employee who is under 19 years of age. Persons 19 and 20 years of age are not required to have the consent of the parent.

- * Describe how food is served on back of form.

Scale 1/8" = 1'





LITTLE ITALY RESTAURANTE

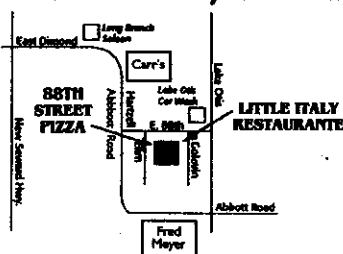
Anchorage, AK 99507

Sun-Thu 5pm-10pm; Fri-Sat 5pm-11pm

344-1515 • littleitalyalaska.com

ECRWSS
PRSKT STD
U.S. POSTAGE PAID
ANCHORAGE, AK
PERMIT NO. 456

RECEIVED
OCT 13 2011
ABC BOARD



OPEN 7 DAYS A WEEK • FREE DELIVERY

Minimum order within our delivery area \$15.95. Minimum order outside delivery area \$30.00.

LUNCH & DINNER CATERING AVAILABLE

Take out or delivery for catering available 7 Days a week, 11am - 10pm. Dine In Catering available Mon-Fri, 11am - 3pm
One day advanced notice requested • Ask about our catering prices • Menu faxed upon request • Call for details

WE RESERVE THE RIGHT TO REFUSE SERVICE TO ANYONE, DISCONTINUE SPECIALS AND CHANGE OUR PRICES WITHOUT NOTICE

Reservations: 344-1515 • littleitalyalaska.com
2100 East 88th Avenue, Anchorage, Alaska 99507
PICK-UP OR FREE DELIVERY



Desserts

Ekmek- 7.50

This is our signature house dessert. The base is made up of cinnamon marinated bread. Then vanilla pudding is poured on top, making up the heart of the dish. Then hand whipped cream along with roasted almonds and shredded cinnamon are topped off to make this a special end to a night out.

Cheesecake- 7.50

Our homemade cheesecakes come in three flavors. For the traditionalist, there is the New York flavor (though you could put chocolate syrup on if you want). If you are looking for something sweeter, there is the chocolate with raspberry. And if you want a cup of coffee, we have chocolate with Bailey's Irish Cream.

Baklava- 3.75

The traditional Greek pastry is phenomenal for those who love honey and walnuts. Layers of light filo dough are filled with the wonderfully syrupy ingredients and then baked to make for a crunchy, sweet and distinctly Mediterranean finish to your meal.

Tiramisu- 7.50

For the Italian lover, this famous lady finger coffee cake with Mascarpone cheese and chocolate dressing is what is called "La Dolce Vita" or the sweet life.

Spumoni Ice Cream- 4.75

Spumoni is wonderfully complex, with strawberry, chocolate, mint and pistachio nuts with almonds all blended together chills down the palate, especially after a spicy meal.

House Special- 7.50

Try a scoop of spumoni ice cream with a piece of our baklava.



Ports

"Ports" came about thanks to the wars between the English and French. Because the French blocked access to their grapes for wine the English had to find another source. Wine started coming from Portugal, but to prevent spoilage during the sea voyage the shippers would continually add brandy to preserve it, until the wine became a different beverage altogether. The wine is called port because the grapes were ferried down the Douro River and wound up in the wineries in Oporto (Porto), Portugal, where they would then go to England for consumption.

Warre's Otima 10 Year Tawny- 12

W&J Graham's 20 Year Tawny- 14

Penfold's Club Reserve Tawny- 7

Though it cannot be called a Tawny Port legally (since it's not from Portugal), this Australian dessert wine is crafted in the traditional version of port.

Seppeltsfield Para 10 Year- 7

This tawny style is matured with Syrah and Grenache grapes near the Para River in Australia from where it is named.

Blandy's Rainwater Madeira- 5

From the Madeira Islands off Portugal, this wine is fortified Tinta Negra Mole grapes. It is called rainwater Madeira because the hillsides could not be irrigated and needed rain to be watered.

Greek Coffee-3

Not for those who can't stand caffeine! It takes a little while to prepare, but worth it.