

Introduced by:	Vice-Mayor Albertson
Date:	April 28, 2015
Action:	Passed
Vote:	4-3
Rescinded	November 10, 2015
Vote:	4-3

CITY OF BETHEL, ALASKA

Resolution # 15-08

RESCINDED BY COUNCIL NOVEMBER 10, 2015

PROTESTING THE ISSUANCE OF A PACKAGE STORE LICENSE TO BETHEL SPIRITS, LLC. DOING BUSINESS AS BETHEL SPIRITS – LICENSE ID #5384, LOCATED AT 905 CHIEF EDDIE HOFFMAN HIGHWAY, SUITE B, BETHEL, ALASKA

- Whereas,** the results of the Special Election held January 19, 2010 indicate that 287 voters favor and 498 oppose the issuance of package store liquor licenses in the community;
- Whereas,** the Kipusvik building set out in the application for a package store license is located across the street from the State’s Juvenile Justice Facility which offers educational courses from Lower Kuskokwim School District’s approved curriculum;
- Whereas,** Alaska Statute 04.11.410 prohibits the operation of a package store within 200 feet of a school building as measured by the shortest pedestrian route from the outer boundaries of the school ground;
- Whereas,** Bethel Municipal Code 5.08.011 prohibits a package store within 300 feet of school buildings, measured by the most direct route of travel on the ground, from the main parking lot entrance of the establishment in a straight line, regardless of obstructions to the nearest public sidewalk, walkway, street, road or highway by the nearest route, to the nearest portion of the school grounds;
- Whereas,** Alaska Statute 04.11.150 (e) prohibits the business premises occupied by a package store to be connected by a door, opening, or other means of passage intended for the access of the general public to an adjacent retail business not also licensed under AS Title 4, unless approved by the board;
- Whereas,** Kipusvik contains a movie theater, which shares the same main entrance as the proposed liquor store;
- Whereas,** the Kipusvik building has an open floor plan with a shared entrance that offers patrons tables and chairs similar to that of a cafeteria and presents an opportunity for loitering in a public space in the vicinity of proposed alcohol sales;

Introduced by:	Vice-Mayor Albertson
Date:	April 28, 2015
Action:	Passed
Vote:	4-3
Rescinded	November 10, 2015
Vote:	4-3

Whereas, at the March 24, 2015 Bethel City Council meeting, 43 people provided public testimony on potential sales of alcoholic beverages in the community, and 37 people spoke in opposition;

Whereas, in 2014 the Bethel Fire Department Emergency Medical Services Unit reported a majority of the calls for service were for individuals under the influence of alcohol;

Whereas, Police Department figures for 2014 show the number of calls for "Intoxicated Pedestrians" to be 3,198 out of a total of 9,844 calls for the year, representing 32.49% of the total calls received by the department;

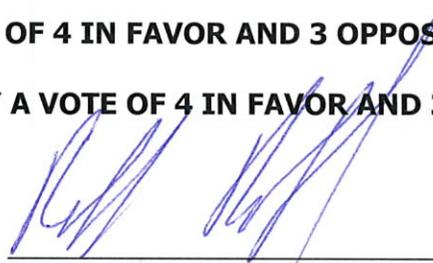
Whereas, the Police Dispatch Center reported a majority of their calls for service were alcohol related;

Whereas, the City protest stands based on the opposition of the people of Bethel, regardless of the presence or lack thereof of Bethel municipal Code or State Statute violations;

NOW THEREFORE, BE IT RESOLVED the Bethel City Council does hereby protest the application for the above identified package store license and requires the City Clerk to send this resolution to the Alcohol Beverage Control Board by June 5, 2015.

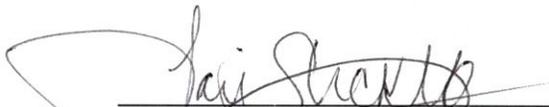
ENACTED THIS 28th DAY OF APRIL 2015, BY A VOTE OF 4 IN FAVOR AND 3 OPPOSED.

RESCINDED THIS 10th DAY OF NOVEMBER 2015, BY A VOTE OF 4 IN FAVOR AND 3 OPPOSED



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk