

Introduced by: Vice-Mayor Albertson
Date: July 14, 2015
Public Hearing: July 28, 2015
Action: Passed
Vote: 7-0

CITY OF BETHEL, ALASKA

Resolution # 15-12

A RESOLUTION BY THE CITY OF BETHEL PROTESTING THE ISSUANCE OF A STATE OF ALASKA ALCOHOLIC RESTAURANT EATING PLACE LICENCE FOR DIMITIRI'S RESTAURANT; LOCATED AT 281 4TH AVE.; OWNED BY MARO KARGAS; LICENSE ID# - 5402

- WHEREAS,** the results of the Special Election held January 19, 2010 indicate that 291 voters favor and 493 oppose the issuance of Restaurant Eating Place liquor licenses in the community;
- WHEREAS,** Chapter 5.08.011 of the Bethel Municipal Code states, "No person may sell or offer to sell any alcoholic beverage in or within two hundred (200) ft of a church building or within two hundred (200) ft of any school grounds", Dimitri's parking lot entrance is located 144 feet of the outer boundaries of Ayaprun Elitnaurvik Elementary School property;
- WHEREAS,** because Dimitri's restaurant is located within 144 feet of a school, granting it an alcohol license would violate the provisions of BMC 5.08.11 (B);
- WHEREAS,** AS 04.11.100(f)(1)(B) prohibits Dimitris from even renewing their application, if initially approved, because of their proximity to the school;
- 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,** at the April 6, 2015 town hall meeting, 50 people provided public testimony on potential sales of alcoholic beverages in the community and 40 of those people spoke in opposition;
- WHEREAS,** in 2010 the City held an advisory vote asking the citizens of Bethel whether they supported a liquor license application for a restaurant or eating establishment;
- WHEREAS,** public policy dictates the Bethel City council represent the will, desires and opinions of the voters and citizens of Bethel;

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- WHEREAS,** the citizens of Bethel as demonstrated in the 2010 advisory vote, overwhelmingly oppose granting the liquor license application;
- 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;

NOW, THEREFORE, BE IT RESOLVED the Bethel City Council opposes the issuance of an eating place license for Dimitri's because of its proximity to a school and because of the public policy against alcohol sales in Bethel.

ENACTED THIS 14 DAY OF JULY, 2015 BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED.


Richard Robb, Mayor

ATTEST:


Lori Strickler, City Clerk