



City of Ketchum

October 14, 2021

Mayor Bradshaw and City Councilors
City of Ketchum
Ketchum, Idaho

Mayor Bradshaw and City Councilors:

Recommendation to Approve Alcohol Beverage License

Recommendation and Summary

Staff is recommending the council to approve the license and adopt the following motion:

I move to approve Alcohol Beverage Licenses for the applicants included in the staff report.

The reasons for the recommendation are as follows:

- Ketchum Municipal Code Requires certain licenses to sell liquor, beer or wine.
- At this time, the application is for the period of September 1, 2021 – July 31, 2022, the Council approval is requested to complete the process of issuing such beer, wine and liquor licenses.

Introduction and History

In accordance with Municipal Code 5.04.020, Alcoholic Beverage Sales, it is unlawful for any person to sell liquor, beer, or wine at retail or by the drink within the City without certain licenses as required pursuant to Ordinance 367. All City licenses for liquor, beer, and wine expire annually and require renewal by August 1st. The businesses will be vending beer, wine and liquor on premise (wine is included in the liquor fees) and not to be consumed on premise, per application.

Analysis

At this time, the following businesses have filed for their license and Council approval is requested to complete the process of issuing such beer, wine and liquor licenses.

Financial Impact

- The City of Ketchum will realize revenue of \$932.11 from approval of these licenses in accordance with the current fee structure.

<u>Company</u>	<u>Beer Consumed on Premises</u>	<u>Beer Not to be Consumed on Premises</u>	<u>Wine Consumed on Premises</u>	<u>Wine Not to be Consumed on Premises</u>	<u>Liquor</u>	<u>Total Amount of Fees Paid</u>
Whiskey's (New Owner)	x				x	598.71
La Cabanita (New Owner)	x		x			333.4

Sincerely,

Shellie Rubel
Treasurer

Attachments: Alcohol applications



City of Ketchum

Beer, Wine & Liquor-by-the Drink License Application

Submit completed application and fees below to the City Clerk Office, PO Box 2315, 480 East Ave. N., Ketchum, ID 83340. If you have questions, please contact Business License & Tax Specialist, Kathleen Schwartzberger at taxes@ketchumidaho.org or (208) 726-3841.

APPLICANT INFORMATION		
Applicant Name: Sun Valley Hospitality, LLC		Doing Business As: Whiskey's
Physical Address where license will be displayed: 251 N. Main St, Ketchum ID 83340		
Mailing Address: 239 Gilbert St, Aspen CO 81611		
Recorded Owner of Property: Sun Valley Holdings, LLC		
Applicant Phone Number: 970-925-4454		Applicant Email: Business@SunValleyHospitality.Com
STATE LICENSE NO: <u>see attached</u> (copy required)		COUNTY LICENSE NO: <u>see attached</u> (copy required)
<p>Corporation: <input checked="" type="checkbox"/> Limited Liability Company</p> <p>Partnership: <input type="checkbox"/></p> <p>Individual: <input type="checkbox"/></p> <p>If Applicant is a Partnership or Corporation, is the corporation authorized to do business in Idaho?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>		<p>List names and addresses of corporation officers and/or partners:</p> <p>Robert P. Scherer III - Managing Member</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
BEER LICENSE FEES		
<input checked="" type="checkbox"/>	Draft or Bottled or Canned Beer to be consumed on premises	\$200.00
<input type="checkbox"/>	Bottled or Canned Beer NOT to be consumed on premises	\$ 50.00
WINE LICENSE FEES		
<input checked="" type="checkbox"/>	Wine, to be consumed on premises	\$200.00
<input type="checkbox"/>	Wine, NOT to be consumed on premises	\$200.00
LIQUOR LICENSE FEES		
<input checked="" type="checkbox"/>	Liquor by the Drink (Note: Liquor fee includes wine)	\$560.00
Total Fees Due		\$ 760.00 <u>598.71</u>
ADDITIONAL INFORMATION		
<p>Has the applicant, any partners of the applicant, any member of the applying partnership, the active manager of the applying partnership or any officer of the applying corporation been convicted of a violation of any law of the State of Idaho, or any other state, or of the United States regulating, governing, or prohibiting the sale of alcoholic beverages or intoxication liquor, and has any one of them within the last three years forfeited or suffered the forfeiture of a bond for his/her appearance to answer charges of any such violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Has the applicant or any partner or actual active manager or officer of the applicant been convicted of any felony within the last five years? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>		

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, its officers and employees from all liability claims, suits and costs arising from incidents or accidents occurring under this permit. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

The undersigned hereby acknowledges and consents that the License(s) requested are subject to the provisions of the Ketchum Municipal Code, Title 5, Chapter 5.04 (amended by Ordinance 882), City of Ketchum, Idaho, Blaine County.

PP L
Applicant Signature

Managing Member
Relation to Business

9/13/2021
Date

[Signature]
City Clerk or Deputy Signature

OFFICIAL USE ONLY		
Date Received: <u>10/5/21</u>	License Fee Paid: <u>ch# 3487</u>	License No: <u>6962A</u>
<p>To the City Council, Ketchum, Idaho; The undersigned, a Corporation <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/>, does hereby make application for a license to sell during the year of <u>August 1, 2021</u> - July 31, <u>2022</u>. <u>October 18, 2021</u></p> <p>Approved by City of Ketchum Idaho by;</p> <p>_____ Mayor</p>		

LIQUOR LICENSE BILL OF SALE

For good and valuable consideration in the amount of \$250,000, Whiskey Jacques, Inc., an Idaho corporation ("Grantor"), does hereby sell, transfer, and assign to Sun Valley Hospitality, LLC, an Idaho limited liability company ("Grantee"), all of Grantor's right, title, and interest in, to, and under the Idaho State Police Retail Alcohol Beverage License Number 3437, Premises No. 5B-71 (the "Liquor License").

Grantor hereby covenants, represents and warrants to Grantee that (i) Grantor has full power and authority to enter into this Liquor License Bill of Sale and perform its obligations hereunder without notice to, or the consent of, any other person or entity; (ii) Grantor is the sole and lawful owner of the Liquor License, free and clear of any and all liabilities, liens, charges, obligations, claims and encumbrances of any nature whatsoever (whether absolute, accrued, contingent or otherwise); and (iii) Grantor has good title and right to convey the Liquor License.

From and after the date hereof, Grantor shall execute, acknowledge and deliver any further deeds, assignments, bills of sale, conveyances, and other assurances, documents, and instruments of transfer reasonably requested by Grantee and its successors and assigns for the purpose of assigning, transferring, conveying, and confirming the Liquor License to Grantee.

This Liquor License Bill of Sale shall be binding upon, shall inure to the benefit of, and shall be enforceable by the Parties and their respective legal representatives, successors and assigns.

DATED effective as the 13 day of SEPTEMBER, 2021.

GRANTOR:

Whiskey Jacques, Inc.,
an Idaho corporation

By:

Karin T. Martin
Name: Whiskey Jacques, Inc.
Title: President



ANNE C. KUNKEL
ANNEKUNKEL@VARINWARDWELL.COM

242 N. 8TH STREET, SUITE 220
P.O. BOX 1676
BOISE, IDAHO 83701
P: 1.208.584.1266
F: 1.866.717.1758
VARINWARDWELL.COM

October 4, 2021

Via Overnight Delivery

Ketchum City Clerk Office
PO Box 2315
480 East Avenue N
Ketchum, Idaho 83340

Re: *Transfer of City of Ketchum Retail Alcoholic Beverage License, License No. 34A – Sun Valley Hospitality LLC*

To Whom It May Concern:

Enclosed are the following materials for the transfer of the referenced Ketchum Alcohol Beverage License to Sun Valley Hospitality LLC from Whiskey Jacques, Inc.:

1. One (1) original City of Ketchum Beer, Wine & Liquor By the Drink Beverage License Application executed by Robert P. Scherer III, the Manager of Sun Valley Hospitality LLC, the new applicant
2. Copies of the State of Idaho and Blaine County Retail Alcohol Beverage License of Applicant
3. A copy of the Liquor License Bill of Sale; and
4. A check in the amount of \$760.00 for the necessary transfer fees.

Please mail the issued license back to me in the self-enclosed overnight package. Thank you for your help and assistance in this matter. Do not hesitate to contact me if you have any questions or comments.

Sincerely,

A handwritten signature in black ink that reads "Anne C. Kunkel".

Anne C. Kunkel

ACK

Enclosures

cc: Client (*via electronic message*)



City of Ketchum

Beer, Wine & Liquor-by-the Drink License Application

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APPLICANT INFORMATION		
Applicant Name: Armenta Bros Ketchum, INC		Doing Business As: La Cabanita Mexican Restaurant
Physical Address where license will be displayed: 160 5th St W, Ketchum ID 83340		
Mailing Address: PO Box 3539, Ketchum, ID 83340		
Recorded Owner of Property: Rodolfo Armenta		
Applicant Phone Number: 208-309-2688		Applicant Email: lacabanitamexidaho@gmail.com
STATE LICENSE NO: _____ (copy required)		COUNTY LICENSE NO: _____ (copy required)
Corporation: <input checked="" type="checkbox"/> Partnership: <input type="checkbox"/> Individual: <input type="checkbox"/> If Applicant is a Partnership or Corporation, is the corporation authorized to do business in Idaho? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		List names and addresses of corporation officers and/or partners: Daniel Armenta Rogelio Armenta _____ _____ _____
BEER LICENSE FEES		
<input checked="" type="checkbox"/>	Draft or Bottled or Canned Beer to be consumed on premises	\$200.00
<input type="checkbox"/>	Bottled or Canned Beer NOT to be consumed on premises	\$ 50.00
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LIQUOR LICENSE FEES		
<input type="checkbox"/>	Liquor by the Drink (Note: Liquor fee includes wine)	\$560.00
Total Fees Due		\$ <u>333.40</u>
ADDITIONAL INFORMATION		
Has the applicant, any partners of the applicant, any member of the applying partnership, the active manager of the applying partnership or any officer of the applying corporation been convicted of a violation of any law of the State of Idaho, or any other state, or of the United States regulating, governing, or prohibiting the sale of alcoholic beverages or intoxication liquor, and has any one of them within the last three years forfeited or suffered the forfeiture of a bond for his/her appearance to answer charges of any such violation? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Has the applicant or any partner or actual active manager or officer of the applicant been convicted of any felony within the last five years? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Applicant agrees to observe all City ordinances, laws and conditions imposed. Applicant agrees to defend, hold harmless and indemnify the City of Ketchum, its officers and employees from all liability claims, suits and costs arising from incidents or accidents occurring under this permit. Applicant certifies that s/he has read and examined this application and that all information contained herein is true and correct.

The undersigned hereby acknowledges and consents that the License(s) requested are subject to the provisions of the Ketchum Municipal Code, Title 5, Chapter 5.04 (amended by Ordinance 882), City of Ketchum, Idaho, Blaine County.

Rogelio Armenta Vice President
Applicant Signature Relation to Business

10/7/2021
Date

[Signature]
City Clerk or Deputy Signature

OFFICIAL USE ONLY		
Date Received: <u>10/11/21</u>	License Fee Paid: <u>ch# 0134</u>	License No: <u>6957A</u>
<p>To the City Council, Ketchum, Idaho; The undersigned, a Corporation <input checked="" type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/>, does hereby make application for a license to sell during the year of <u>August 1, 2021</u> - July 31, <u>2022</u>. <u>October 18, 2021</u></p> <p>Approved by City of Ketchum Idaho by;</p> <p>_____ Mayor</p>		