



	Approved	Denied
Action taken	9/26/05	
Other:	Approved w/ Option #2	
Verified by:	K. Smith	

WASILLA CITY COUNCIL ACTION MEMORANDUM

AM No. 05-58

TITLE: REQUEST FOR SALES TAX PENALTY WAIVER.

Agenda of: September 26, 2005
 Originator: City Clerk's Office

Date: September 16, 2005

Route to:	Department	Signature/Date
X	Finance *signature required	<i>[Signature]</i>
X	Clerk	<i>[Signature]</i>

REVIEWED BY MAYOR DIANNE M. KELLER: *Dianne M. Keller*

FISCAL IMPACT: yes no Funds Available yes no

Account name/number:

Attachments: letter from Kurani Inc. d/b/a Pizza Hut; dated: 8/23/05

Statement of Facts from Sales Tax Administrator; WMC 5.16.150

SUMMARY STATEMENT: The finance department received the attached letter from Kurani Inc. d/b/a Pizza Hut, requesting a waiver of penalty for a late sales tax payment in the amount of \$157.69 for the period ending April 2005.

The following is a statement of facts submitted by Deborah Davis, Sales Tax Administrator:

- Kurani Inc. d/b/a Pizza Hut has been late filing their sales tax 2 times in 4 years. (April 2005 & January 2004)
- Kurani Inc. d/b/a Pizza Hut's sales tax return and payment for the period ending April 30, 2005 was due in our office no later than Tuesday, May 31, 2005. It was received on June 21, 2005. They changed accounting firms and the new firm was unaware that the return was due in our office on May 31, 2005.
- A 5% penalty of \$157.69 was assessed for filing a late return.
- Kurani Inc. d/b/a Pizza Hut paid the assessed penalty and interest totaling \$184.90 on 8/30/2005.

- Kurani Inc. d/b/a Pizza Hut has requested abatement of the penalty in the amount of \$157.69.
- Kurani Inc. d/b/a Pizza Hut weren't notified of WMC 5.16.120 pertaining to the waiver of an assessed penalty until 8/26/05.

The council may waive or reduce the penalty under WMC 5.16.150.B.2. (attached).

STAFF RECOMMENDED ACTION: None. This matter falls within the discretion of the council. In accordance with WMC 5.16.150.B.2, the penalty may be waived or reduced by the council

If the council wishes to **grant** the waiver, please make the motion as outlined in **Option 1**, listed below.

If the council chooses to **deny** the waiver, please make the motion as outlined in **Option 2**, listed below.

Option 1: If the council chooses to **grant the waiver**, the following motion would need to be made from the floor.

MOTION: *To approve AM No. 05-58 **by granting** the sales tax waiver in the amount of \$157.69 to Kurani Inc. d/b/a Pizza Hut for the period ending April 2005.*

OR

Option2: If the council chooses to **deny the waiver**, the following motion would need to be made from the floor:

MOTION: *To approve AM No. 05-58 **by denying** the sales tax waiver in the amount of \$157.69 to Kurani Inc. d/b/a Pizza Hut for the period ending April 2005.*

OFFICE OF THE
CITY CLERK AND COUNCIL

CITY OF WASILLA
290 E. Herning Ave.
Wasilla, AK 99654-7091
Phone: (907) 373-9090
Fax: (907) 373-9092

September 29, 2005

SAVISTA – FSC
Carissa McHugh, Tax Specialist
8200 Thorn Drive, Suite 300
Wichita, KS 67226


RE: KURANI INC. d/b/a PIZZA HUT

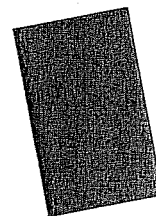
The Wasilla City Council received your letter requesting a waiver of penalty for late sales tax payment for the period ending April 2005.

During their meeting of September 26, 2005, the Wasilla City Council reviewed your letter and the decision was made to deny your request for waiver. The penalty paid in the amount of \$157.69 will not be refunded.

If you have any further questions, please direct them to Ted Leonard, Finance Director, at (907) 373-9080.

Sincerely,
CITY OF WASILLA


KRISTIE SMITHERS, MMC
City Clerk



pc: Deborah Davis, Finance Department, Sales Tax Division



	Approved	Denied
Action taken	9/26/05	
Other:	Approved w/ Option #2	
Verified by:	Romita	

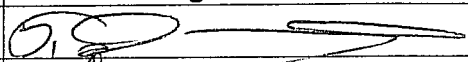

WASILLA CITY COUNCIL ACTION MEMORANDUM

AM No. 05-58

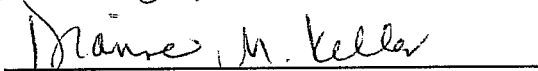
TITLE: REQUEST FOR SALES TAX PENALTY WAIVER.

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Route to:	Department	Signature/Date
X	Finance *signature required	
X	Clerk	

REVIEWED BY MAYOR DIANNE M. KELLER:



FISCAL IMPACT: yes or no

Funds Available yes no

Account name/number:

Attachments: letter from Kurani Inc. d/b/a Pizza Hut; dated: 8/23/05
 Statement of Facts from Sales Tax Administrator; WMC 5.16.150

SUMMARY STATEMENT: The finance department received the attached letter from Kurani Inc. d/b/a Pizza Hut, requesting a waiver of penalty for a late sales tax payment in the amount of \$157.69 for the period ending April 2005.

~~The following is a statement of facts submitted by Deborah Davis, Sales Tax Administrator:~~

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STAFF RECOMMENDED ACTION: None. This matter falls within the discretion of the council. In accordance with WMC 5.16.150.B.2, the penalty may be waived or reduced by the council

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OR

Option2: If the council chooses to **deny the waiver**, the following motion would need to be made from the floor:

MOTION: *To approve AM No. 05-58 **by denying** the sales tax waiver in the amount of \$157.69 to Kurani Inc. d/b/a Pizza Hut for the period ending April 2005.*

From: Deborah L. Davis

To: Jamie Newman

Date: 9/1/2005

Kurani Inc. d/b/a Pizza Hut

Re: Delinquent sales tax report & payment for period ending April 2005

Statement of Facts

- Kurani Inc. d/b/a Pizza Hut has been late filing their sales tax 2 times in 4 years. (April 2005 & January 2004)
- Kurani Inc. d/b/a Pizza Hut's sales tax return and payment for the period ending April 30, 2005 was due in our office no later than Tuesday, May 31, 2005. It was received on June 21, 2005. They changed accounting firms and the new firm was unaware that the return was due in our office on May 31, 2005.
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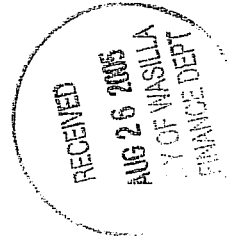
Deborah Davis, Sales Tax Administrator
City of Wasilla
290 E. Herning Ave.
Wasilla, AK 99654
907-373-9090

COPY

S A V I S T A - F S C

August 23, 2005

City of Wasilla
290 E Herning Ave
Wasilla, AK 99654



Re: Kurani Inc
8200 Thorn Dr
Wichita, KS 67226

In reference of the attached notice, after reviewing our files it was found that the return was mailed on May 31, 2005. Kurani Inc was in the process of changing accounting firms and the new firm was unaware that the return was due to be received by May 31, 2005, not postmarked by May 31, 2005.

A review of our records will indicate a history of timely and accurate filings for this company. As taxpayers our intent is to comply timely and accurately with all Wasilla regulations as set forth.

With this information we would like to request an abatement of the penalty and interest assessed. Please review and notify me in writing of your decision.

If you have any questions or need any further information please contact me at (316) 689-0049 ext 3157 or cmchugh@fscilc.com.

Sincerely,

Carissa McHugh
Carissa McHugh
Tax Specialist