

**CITY OF SOUTH FULTON, GEORGIA
VIRTUAL - SPECIAL CALLED MEETING
Wednesday, April 14, 2021, 3:00 PM**



**The Honorable William "Bill" Edwards, Mayor
The Honorable Catherine F. Rowell, District 1 Councilmember
The Honorable Carmalitha Gumbs, District 2 Councilmember
The Honorable Helen Z. Willis, District 3 Councilmember
The Honorable Naeema Gilyard, District 4 Councilmember
The Honorable Corey A. Reeves , District 5 Councilmember
The Honorable khalid kamau, District 6 Councilmember
The Honorable Mark Baker, District 7 Councilmember**

SPECIAL CALLED MEETING AGENDA

1. Meeting Called to Order
2. Roll Call
3. Agenda Items
 1. Public Hearing regarding a Request for Alcohol License Revocation: re Burn Lounge LLC. dba Burn Lounge (Police Department)
4. Adjournment of Meeting



CITY OF SOUTH FULTON



COUNCIL AGENDA ITEM

COUNCIL SPECIAL MEETING

SUBJECT: Public Hearing regarding a Request for Alcohol License Revocation: re Burn Lounge LLC. dba Burn Lounge

DATE OF MEETING: 4/14/2021

DEPARTMENT: City Manager

ATTACHMENTS:

Description	Type	Upload Date
Burn Lounge Revocation Hearing AMENDED 4-12-21_Redacted	Cover Memo	4/13/2021

City of South Fulton Agenda Item Summary



City Council Meeting Date 4/14/2021		
Requesting Department Police Department		Council District(s) Affected District 3
Requested Action Decide whether to revoke the alcohol license and/or impose conditions/suspension or fine to Burn Lounge LLC D/B/A Burn Lounge.		
Requirements for Council Action (City specific Council policy, statute or code requirement) According to City Ordinance Title 16, decide to revoke alcohol license and /or impose conditions/suspension or fine.		
Summary and Background (Provide department recommendation and an executive summary of the action that gives an overview of the relevant details) The South Fulton Police Department is requesting a Revocation Hearing to revoke the Alcohol License for Burn Lounge LLC, D/B/A Burn Lounge citing numerous violations to the City of South Fulton's Code of Ordinances, Title 16 Alcoholic Beverages. A detailed report is attached citing multiple violations, (failing to supervise and monitor employees, not having a licensed security company, keeping or maintaining a common ill-governed and disorderly place, and high frequency of calls for police service including violent gun crimes and incidents.) These incidences have led the police to request the revocation of the alcohol license for the Burn Lounge.		
Funding Source (if applicable) N/A		
Financial Impact (if applicable) N/A		
Financial Impact Statement Received Yes ☐ No ☒ Legislative Process Complete Yes ☐ No ☒		
Department Director Approval  Keith Meadows (Apr 7, 2021 17:59 EDT)		Finance Director Approval
Assistant City Manager Approval 	City Attorney Approval 	City Manager Approval 



South Fulton Police Department

5440 Fulton Industrial Blvd · Atlanta, Georgia 30336

Phone: (470) 809-7300

Keith Meadows

Chief of Police

Amended Notice April 9, 2021

Burn Lounge, LLC

Dba Burn Lounge

Shonica Crocker

3461 Roosevelt Highway, Suite 15

College Park, GA 30349

Re: **NOTICE OF SUSPENSION OF YOUR LIQUOR LICENSE # ABL19006165 FOR
3461 ROOSEVELT HIGHWAY, SUITE 15**

Dear Ms. Crocker,

You are hereby notified that you may show cause before City Council as to why the temporary suspension of your license to sell alcoholic beverages should not remain in effect, be extended or revoked based upon your noncompliance with Chapter 3, Section 16-3001(a)(9), (12), and (16) and Chapter 2, Section 16-2003.1 (a)(4) a, b, and (b) of the City of South Fulton Code of Ordinances Title 16 Alcoholic Beverages. In particular, and without limitation thereto, the City of South Fulton Police Department ("South Fulton Police Department") intends to show that according to the City of South Fulton's Code of Ordinances the applicable standards and sections supported the temporary emergency suspension of your alcohol license.

Hearing Date and Applicable Code Sections

An emergency virtual hearing will be held on Wednesday, April 14, 2021 at 3:00pm. A copy of the Chapter 3 Section 16-3001(a)(9), (12), and (16) and Chapter 2, Section 16-2003.1.(a)(4)a,b, and (b) of the City's Ordinances Title 16 Alcoholic Beverage is available for your review through [COSF Title 16 Alcoholic Beverages](#) or you may contact the City's Clerk and have a PDF copy mailed or electronically mailed to your designated physical or email address. Included within these code sections are the applicable standards that outline the basis for and procedure upon which the suspension, revocation and/or imposition of a fine of your alcohol license to sell alcoholic beverages will be considered.

The South Fulton Police Department intends to show that due cause exists to continue the suspension, impose a fine and/or revoke your alcohol license based upon the following violations which occurred at your establishment.



South Fulton Police Department

5440 Fulton Industrial Blvd · Atlanta, Georgia 30336

Phone: (470) 809-7300

Keith Meadows

Chief of Police

Violations of City Ordinance

Count 1:

On October 14, 2020, Burn Lounge failed to adequately supervise and monitor the conduct of employees and protect the safety and well-being of the general public, when a verbal argument ensued between the customer and a female identifying themselves as an employee of the establishment who was responsible for providing enforcement (i.e., security). The employee assaulted the customer and was charged by police with Simple Battery.

On March 17, 2021, Burn Lounge failed to adequately supervise and monitor the conduct of employees when yet again the same female employee (enforcement/security guard) from the incident above shot a customer after getting into a verbal altercation. The female employee was charged with Aggravated Assault, Possession of a Firearm during the Commission of a Felony and Possession of a Firearm by a Convicted Felon.

Count 2:

Between the dates of October 14, 2020 and March 17, 2021, Burn Lounge violated COSF Title 16 Chapter 3 Section 16-3001(a)(12) by keeping or maintaining a common ill-governed and disorderly place, to the common disturbance of the neighborhood in violation of COSF Title 15 Chapter 2 Sec. 15-2010. Keeping a disorderly place where gun fire and assaults have taken place on at least two separate dates within a 12-month period which is evidenced by the crime of aggravated assault on March 17, 2021 and Simple Battery on October 14, 2020.

Count 3:

On March 17, 2021, when police responded to an aggravated assault shooting at premises, Burn Lounge failed to provide police with any video or images from their camera equipment installed at the location in accordance Chapter 2, Section 16-2003.1 (a)(4) a, b.

In addition, Burn Lounge was also found in violation of not complying with Chapter 2, Section 16-2003.1 (b). when they did not to have least two paid security officers, who are certified, registered and/or licensed by the state to provide security services, on duty, daily from 6:00 p.m. until the close of business. Burn Lounge owner advised staff that she did not have a contract with a state licensed and registered security company. The employees identified as enforcement for Burn Lounge, were not working at the location under any licensed/registered state approved GA Board of Private Detectives & Security Agency.

Count 4:

According to police records in the past 5 months alone, two arrest cases have occurred involving (1) Aggravated Assaults and (1) Simple Battery case.



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Chief of Police

On October 14, 2020, Burn Lounge failed to adequately supervise and monitor the conduct of employees when a potential customer attempted to enter the business to use the restroom. Upon entry, a verbal argument ensued between the customer and a female identifying themselves as an employee of the establishment who was responsible for providing enforcement (i.e., security). The employee assaulted the customer and was charged with Simple Battery.

On March 17, 2021, Burn Lounge failed to adequately supervise and monitor the conduct of employees when yet again the same female employee (enforcement/security guard) from the two incidents above shot a customer after getting into verbal altercation. The female employee was charged with Aggravated Assault,

Applicable City Ordinance Code Sections

The City's Ordinance Title 16 Chapter 3 Section 16-3001 Suspension or Revocation of License states, in pertinent part, that:

(a)(9) Failure by the licensee to adequately supervise and monitor the conduct of employees, patrons, and others on the licensed premises, including but not limited to adjacent parking lots or areas which may be lawfully used by patrons of the licensed establishment, in order to protect the safety and well-being of the general public and of those utilizing the premises.

(a)(12) The violation of any other law, ordinance or regulation governing the operation of establishments licensed to sell alcoholic beverages or which are reasonably related to the operation of such establishments.

(a)(16) A high frequency of calls for police service or for police intervention to the licensed premises or the proposed licensed premises, during the 12 months immediately preceding the date of application, taking into consideration of the severity of such incidents; or a high frequency of calls for police service or for police intervention around such premises, **if it is demonstrated that any criminal activity around the licensed premises had some connection with the premises or with the owner(s) or employees of the premises** and/or the criminal activity occurred within 100 feet of the premises.

The City's Ordinance Title 16 Chapter 2 Section 16-2003.1 Entertainment at on Premises Consumption Establishments states, in pertinent part, that

(a) Bands, orchestras, pool tables, musical entertainment and/or patron dancing shall only be permitted at an alcohol licensed consumption on the premises establishment if the following conditions are met:

(4) The location installs and maintains security cameras in a secure location of a type and number approved by the chief of police. Such cameras:



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Keith Meadows

Chief of Police

- a. Shall be capable of producing a retrievable image on film, tape, or any readable medium that can be made a permanent record and enlarged through projection or other means;
 - b. Shall be maintained in proper working order at all times and shall be subject to periodic inspection by the chief of police or his designee. If a robbery or other crime occurs in such outlet, the film or tape recording of such event shall immediately be made available to the chief of police or his designee;
- (b) Entertainment at on premises consumption establishment which states, "Alcohol licensed consumption on the premise establishments which offer patron dancing and musical entertainment shall have at least two paid security officers, who are certified, registered and/or licensed by the state to provide security services, on duty, daily from 6:00 p.m. until the close of business."

Procedures for Hearing

The Public Hearing will occur virtually via Zoom due to the COVID-19 pandemic, where you and/or your legal representative, shall be afforded the opportunity to be heard and present evidence to the City Council. A copy of the documents which may be used against you at the Public Hearing are attached to this notice. Please email any documents which you may present at the hearing to the City Clerk at: corey.adams@cityofsouthfultonga.gov and copy the City Attorney Vincent Hyman at: vincent.hyman@cityofsouthfultonga.gov.

The City Clerk will send you an invitation to access the Zoom Public Hearing at least 48 hours prior to the Public Hearing at the following email address the City has for you on file: [REDACTED]. Please email the City Clerk (and copy the City Attorney) at soon as possible in advance of the Public Hearing if your email address has changed.

Should you require additional information, please contact Lieutenant Kay Lester in the License and Permits Office at kay.lester@cityofsouthfultonag.gov or 404-324-1242.

Sincerely,

Keith Meadows (Apr 9, 2021 16:57 EDT)

Keith Meadows
Chief of Police



South Fulton Police Department

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Phone: (470) 809-7300

Keith Meadows
Chief of Police

April 6, 2021

Burn Lounge, LLC

DbA Burn Lounge
Shonica Crocker
3461 Roosevelt Highway, Suite 15
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Hearing Date and Applicable Code Sections

A virtual hearing will be held on Tuesday, April 27, 2021 at 4:00pm. A copy of the Chapter 3 Section 16-3001(a)(9), (12), and (16) and Chapter 2, Section 16-2003.1.(a)(4)a,b, and (b) of the City's Ordinances Title 16 Alcoholic Beverage is available for your review through [COSF Title 16 Alcoholic Beverages](#) or you may contact the City's Clerk and have a PDF copy mailed or electronically mailed to your designated physical or email address. Included within these code sections are the applicable standards that outline the basis for and procedure upon which the suspension, revocation and/or imposition of a fine of your alcohol license to sell alcoholic beverages will be considered.

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(a)(16) A high frequency of calls for police service or for police intervention to the licensed premises or the proposed licensed premises, during the 12 months immediately preceding the date of application, taking into consideration of the severity of such incidents; or a high frequency of calls for police service or for police intervention around such premises, **if it is demonstrated that any criminal activity around the licensed premises had some connection with the premises or with the owner(s) or employees of the premises** and/or the criminal activity occurred within 100 feet of the premises.

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The City Clerk will send you an invitation to access the Zoom Public Hearing at least 48 hours prior to the Public Hearing at the following email address the City has for you on file: [REDACTED]. Please email the City Clerk (and copy the City Attorney) at least five days in advance of the Public Hearing if your email address has changed.

Should you require additional information, please contact Lieutenant Kay Lester in the License and Permits Office at kay.lester@cityofsouthfultonag.gov or 404-324-1242.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Meadows", is written over a horizontal line.

Keith Meadows (Apr 7, 2021 17:59 EDT)

Keith Meadows
Chief of Police