



PUBLIC SERVICES COMMITTEE MEETING AGENDA

Commission Chamber
Tuesday, April 25, 2023
1:00 PM

PUBLIC SERVICES

- 1.** Discussion: Consider probation, suspension or revocation of the Alcohol License, Dance License and Business License for Voncellies Allen d/b/a/ Level 9 Sports Bar & Grill located at 3054 Damascus Rd for failure to comply with the Augusta Alcohol Ordinance and Occupation Tax Ordinance.
- 2.** Motion to approve the minutes of the Public Services Committee held on April 11, 2023.



Public Service

April 25, 2023

Probation, Suspension, or Revocation of Alcohol/Business License

- Department:** Planning & Development Department
- Presenter:** Julietta H. Walton, Business license & Customer Service Manager
- Caption:** Discussion: Consider probation, suspension or revocation of the Alcohol License, Dance License and Business License for Voncellies Allen d/b/a/ Level 9 Sports Bar & Grill located at 3054 Damascus Rd for failure to comply with the Augusta Alcohol Ordinance and Occupation Tax Ordinance.
- Background:** The owner of the business Level 9 Sports Bar & Grill has a business license to operate a Bar/Lounge and a Alcohol License and Dance License to serve Liquor, Beer & Wine..... Over the last few years and most recently incidents have occurred at this location, to include shootings, a stabbing, and simple battery cases. Most recently a shooting that involved three victims being shot. (See attached Sheriff’s Office Letter)
- Analysis:** The Sheriff’s Office is requesting that the Commission take action against the license holder. The Alcohol License and the Business License can be suspended, revoked, or placed on probation pursuant to the following.

OCCUPATION TAX CODE

Sec. 2-1-38. Right to deny, suspend, or revoke a business tax certificate.

- (a) A Business Tax Certificate under this Chapter may be denied, suspended, or revoked if one or more of the following exists:
 - (3) The applicant or holder of the certificate intends to violate or has violated any federal or state law, or local ordinance or any ordinance or resolution regulating such business or intends to violate any regulation made pursuant to authority granted for regulating such business.
 - (6) The applicant or holder of the certificate fails to adequately supervise and monitor the conduct of the employees, patrons and others on the subject premises, or on any property owned or leased by the applicant or holder, including but not limited to parking lots and parking areas, or on any parking lots or areas which may be lawfully used by patrons of the establishment of the applicant or holder, in order to protect the safety and well-being of the general public and of those using the properties.

Sec. 6-2-74. Probation, Suspension & Revocation (Alcohol License).

Any license issued under this Ordinance may be put on probation, suspended and/or revoked by the Augusta- Commission after a finding of due cause. Due cause for the probation, suspension or revocation of a license shall include but shall not be limited to, the following:

- (a) A violation of this Ordinance or any State or federal law governing manufacture, transport, or sale of alcoholic beverages by the licensee or any person in his employ or in the employ of the establishment for which the license was issued.

Sec. 6-2-21. Premises to be kept in orderly manner, with outside gatherings of patrons restricted.

- (a) Owners and/or applicant, managers and employees shall be responsible for keeping an orderly place, and no patron shall cause a disturbance of any kind; nor shall any patron be allowed to stand, sit, mingle or assemble outside the building, in parking lots or autos, and drink alcoholic beverages except as provided in subparagraph (b) hereof.

ALCOHOL CODE

Sec. 6-2-32. Violations; unlawful activities.

- (a) Any person holding any license issued pursuant to this Ordinance or any employee or agent of such person who violates any provision of this Ordinance, or directs, consents to, permits, or acquiesces in such violation, either directly or indirectly shall, by such conduct, subject the license to suspension or revocation. For purposes of administering and enforcing this Ordinance, any act committed by an employee, agent or representative of a licensee shall be deemed to be an act of such licensee.

- (b) It shall be a violation of this Ordinance for any licensee to permit any person to engage in any activity on the premises for which the license is issued or within the place of business, which is in violation of the laws or regulations of any federal, state, county or municipal governing authority or regulatory agency. With respect to any such activity, it shall be rebuttably presumed that the same was done with the knowledge or consent of the licensee; provided however, that such presumption may be rebutted only by evidence which precludes every other reasonable hypothesis save that such licensee did not know, assist or aid in such occurrence, or in the exercise of full diligence could not have discovered or prevented such activity.

DANCE CODE

Sec. 6-6-43. Dance.

(g) Right of suspension by Planning & Development Department. The Planning &

Development Department shall have the right to suspend any business tax certificate

issued under this chapter whenever a person, firm or corporation doing business shall

deviate from the normal operation for which the business tax certificate was obtained or fails in performance to meet the required regulations and code as set forth by the Planning & Development Department, Augusta- Sheriff’s Office or Augusta-Richmond County Health Department or violates any law or ordinance of the United States, or the State or Augusta-Richmond County, in pursuance of such business conducted under such business tax certificate.

Alternatives: Do not take action against the Business License, Alcohol License, and Dance License.

Recommendation: Suspend the Business License, Alcohol License & Dance License for (90) ninety days.

Funds are available in the following accounts: N/A

REVIEWED AND APPROVED BY: N/A



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April 25, 2023

Planning and Development Department
Carla Delaney – Director

(See Attached)

1803 Marvin Griffin Road, Augusta, Ga. 30906

Building Permits
706.312.5050 Fax 706.312.4253

Business License
706.312.5053 Fax 706.312.5037

Alcohol License
706.312.5038 Fax 706.821.4253

Code Enforcement
706.312.5049 Fax 706.821.4253



RICHMOND COUNTY SHERIFF'S OFFICE

Item 1.

Sheriff Richard Roundtree

Law Enforcement Center

400 Walton Way

Augusta, GA 30901

Phone: 706.821.1400 Fax: 706.821.1014

March 21st 2023

Julietta Walton
Augusta-Richmond County
Planning and Development
1850 Marvin Griffin Rd
Augusta, Ga. 30906

Re: 3054 Damascus Road Augusta GA (Level 9)

Ms. Julietta Walton

On March 21st at approximately 0100 hours a shooting occurred in side the club located at 3054 Damascus Road (level 9). Three victims were shot by unknown persons who began shooting for an unknown reason. The three victims in this case advised they were not involved in any altercations but victims of a shooter firing his weapon indiscriminately inside a night club. While photographing the scene, Inv. Brown noted the entire business smelled of marijuana and smoke. Inv. Brown observed the floor was riddled with trash and beer bottles. Amongst the trash were multiple plastic baggies throughout the business with marijuana/narcotics residue in them. Inv. Brown observed several areas of tobacco and blunt wrappers where subjects were rolling marijuana blunts/cigarettes throughout the business. Inv. Brown observed several ashtrays and ashes throughout the business and on tables that contained tobacco and marijuana residue. Inv. Brown noted the owner of the business was casually sitting at a table that was covered in marijuana residue, watching television. The night club does have security and an off-duty officer but this has not detoured these types of incident from occurring inside the bar. On January 24th of this year an altercation took place inside the bar which resulted in two people being stabbed. On September 28th 2021 a shooting occurred in the parking lot of the club which resulted in the death of a patron another being shot in the leg and one the bars security officers being shot in the hand. In addition to these events there have been 5 simple battery cases, battery cases, a kidnapping and sodomy case, as well as a trafficking cocaine case between the years of 2020 and 2023. Due to these events it is our belief that if this bar continues operating in this manner it will only result in additional assaults which the Sheriff's office would like to prevent.

Please consider this a formal request to bring 3054 Damascus Road Augusta GA (Level 9) before the Augusta Richmond County Commission to have their Alcohol license considered to be revoked.

Respectfully
Inv. Jose Ortiz



Public Services Committee

April 25, 2023

Minutes

Department:	N/A
Presenter:	N/A
Caption:	Motion to approve the minutes of the Public Services Committee held on April 11, 2023.
Background:	N/A
Analysis:	N/A
Financial Impact:	N/A
Alternatives:	N/A
Recommendation:	N/A
Funds are available in the following accounts:	N/A
<u>REVIEWED AND APPROVED BY:</u>	N/A



PUBLIC SERVICES COMMITTEE MEETING MINUTES

Commission Chamber
 Tuesday, April 11, 2023
 1:00 PM

PUBLIC SERVICES

PRESENT

Mayor Garnett Johnson
 Commissioner Sean Frantom
 Commissioner Bobby Williams
 Commissioner Stacy Pulliam
 Commissioner Wayne Guilfoyle

1. Motion to approve the minutes of the Public Services Committee held on March 14, 2023.
 Motion to approve.
 Motion made by Guilfoyle, Seconded by Williams.
 Voting Yea: Frantom, Williams, Pulliam, Guilfoyle
 Motion carries 4-0.
2. Motion to receive a donation from the Trust of Oakland Park.
 Motion to delete this item from the agenda.
 Motion made by Guilfoyle, Seconded by Williams.
 Voting Yea: Frantom, Williams, Pulliam, Guilfoyle
 Motion carries 4-0.
3. Discuss hiring plan reviewers for Permit Department. **(Requested by Commissioner Wayne Guilfoyle)**
 Motion to approve tasking the Administrator to work with department directors to develop and implement new processes to streamline the permit process for contractors and developers and to utilize a survey to receive suggestions for improving the process.
 Motion made by Guilfoyle, Seconded by Frantom.
 Voting Yea: Frantom, Williams, Pulliam, Guilfoyle
 Motion carries 4-0.
4. Implement a temporarily moratorium for apartments, townhomes and mobile home parks. **(Requested by Commissioner Wayne Guilfoyle)**
 Motion to approve receiving this item as information.
 Motion made by Guilfoyle, Seconded by Williams.
 Voting Yea: Frantom, Williams, Pulliam, Guilfoyle

Motion carries 4-0.

5. Review and implement new processes to streamline the permit process for contractors and developers. **(Requested by Commissioner Wayne Guilfoyle)**

Motion to approve tasking the Administrator to work with department directors to develop and implement new processes to streamline the permit process for contractors and developers and to utilize a survey to receive suggestions for improving the process.

Motion made by Guilfoyle, Seconded by Frantom.

Voting Yea: Frantom, Williams, Pulliam, Guilfoyle

Motion carries 4-0.

6. Motion to approve award of airfield electrical upgrade at Daniel Field Airport (Bid Item #23-150) to TCA Electrical Contractors, Inc. of Tifton, Georgia in the amount of \$1,004,490.00.

Motion to approve.

Motion made by Guilfoyle, Seconded by Williams.

Voting Yea: Frantom, Williams, Pulliam, Guilfoyle

Motion carries 4-0.

7. Motion to approve the Airline Operating Agreement and Terminal Building Lease with American Airlines. Approved by the Augusta Aviation Commission on March 30, 2023.

Motion to approve.

Motion made by Guilfoyle, Seconded by Williams.

Voting Yea: Frantom, Williams, Pulliam, Guilfoyle

Motion carries 4-0.

8. Motion to approve the Airline Operating Agreement and Terminal Building Lease with Delta Airlines. Approved by the Augusta Aviation Commission on March 30, 2023.

Motion to approve.

Motion made by Guilfoyle, Seconded by Williams.

Voting Yea: Frantom, Williams, Pulliam, Guilfoyle

Motion carries 4-0.

9. Motion to approve a vendor for RFP 22-296 - Parks & Recreation Strategic Plan

Motion to approve.

Motion made by Guilfoyle, Seconded by Williams.

Voting Yea: Frantom, Williams, Pulliam, Guilfoyle

Motion carries 4-0.