

August 9, 2018

VIA EMAIL ([dbraun@epra-law.com](mailto:dbraun@epra-law.com))

Dana Braun, Esq.  
Ellis, Painter, Ratterree, & Adams, LLP  
2 East Bryan Street, 10<sup>th</sup> Floor  
Savannah, GA 31401

Re: Susan Lingenfelser  
Application for Alcoholic Beverage License (Quick Shop No. 5)

Dear Mr. Braun:

As you are aware, staff has recommended that City Council deny Susan Lingenfelser's request for issuance of a package alcoholic beverage license ("ABL") for the premises situated at 9137 White Bluff Road t/a Quick Shop No. 5. In short, the management of other establishments for which Ms. Lingenfelser possessed an ABL revealed a history of noncompliance with applicable laws and regulations, and business operations that created serious public safety issues.

Munchies Bar & Grill/Tiger's Den

According to our records, in 2005 Ms. Lingenfelser received an ABL for 4429 Skidaway Road, then operating as Munchies Bar & Grill, later renamed the Tiger's Den. During 2009, the Tiger's Den was the subject of a joint CNT and GBI investigation that led to the arrest of seven people for dealing illegal narcotics within and on the premises. Several months later, the manager was shot and killed inside the business. On March 12, 2009, Ms. Lingenfelser was directed to show cause why her license should not be suspended and revoked; however, it appears the City accepted an enhanced security and operating plan in lieu of licensing action. About one month after the shooting, the Tiger's Den's name was changed to Q's Food and Spirit. Two years later in October 2011 a Revenue Department audit revealed that Ms. Lingenfelser was not meeting the 50% food sales requirement and revoked her Sunday sales permit. She surrendered the license two months later and closed the business, pointing to diminished sales as a result of not being permitted to sell alcohol on Sundays. Between June 2007 and December 2011, nearly 300 calls for service were associated with the Tiger's Den. During that time period, 69 incidents resulted in criminal reports.

Bogey's


Overlapping in time with her operation of the Tiger's Den, Ms. Lingenfelser also possessed an ABL for Bogey's, situated at 11414 Abercorn Street. In October 2011,

a Revenue Department audit indicated that the establishment was violating the 50% food sales requirement. Consequently, Ms. Lingenfelter's Sunday sales permit was revoked. A 2012 request to transfer the ABL to Ms. Lingenfelter's son-in-law was recommended for denial due to concerns raised by the police department. The request was subsequently withdrawn. Between January 2008 and September 2013, almost 80 calls for service were associated with Bogey's. During that time period, 32 incidents resulted in criminal reports.

The foregoing is not intended to be an exhaustive recitation of the factual bases for the staff recommendation; however, it presents evidence sufficient to recommend denial under Section 6-1207 of the City Code. In particular, Section 6-1207 empowers City Council to, *inter alia*, consider an applicant's licensing history, including her compliance with applicable laws and regulations. Sec. 6-1207(a)(1). Additionally, Council may consider whether an applicant's previous business activities were conducted consistent with public safety concerns. Sec. 6-1207(a)(2).

As discussed, I am enclosing Police and Revenue Department documents regarding Ms. Lingenfelter's previous businesses. Her request for a package license will be heard at the next regular Council meeting, August 16, 2018. She is invited, along with you, to appear, present evidence and cross-examine witnesses.

Very truly yours,



JENNIFER N. HERMAN  
DEPUTY CITY ATTORNEY

JNH/lea  
Encls.

c: Rob Hernandez, City Manager (via email)(w/o encls.)  
Chief Mark Revenew (via email)(w/o encls.)  
Mr. Bret Bell (via email)(w/o encls.)