

RESOLUTION # _____ OF THE CITY OF BROOKFIELD, WISCONSIN

Committee: Legislative & Licensing
Committee Date: March 7, 2023
Committee Recommendation:

Public Hearing: n/a
Council Date: March 21, 2023
Council Action:

***Original Bartender/Operator License for an applicant with
violations – Benjamin A. Gesell***

WHEREAS, an applicant, Benjamin A. Gesell, requests an Original Bartender/Operator License for the City of Brookfield, and

WHEREAS, the Legislative & Licensing Committee considered the Original Bartender/Operator License application at its meeting held on March 7, 2023 and recommends _____ thereof.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Brookfield that it hereby _____ an Original Bartender/Operator License for Benjamin A. Gesell, and

BE IT FURTHER RESOLVED, that the proper city official(s) be hereby authorized and directed to carry out the council's action, including, but not limited to signing documents, implementing technical revisions to documents to effectuate the best interest of the City, and correcting scrivener's errors.

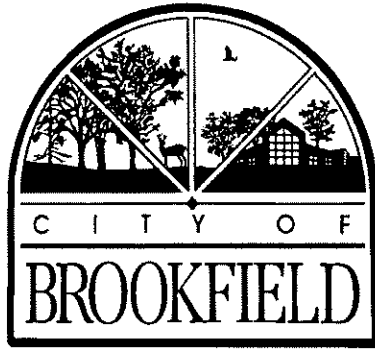
Adopted this 21st day of March, 2023.

Approved:

Mayor Steven V. Ponto

Attested:

City Clerk Michelle Luedtke



OFFICE OF THE CITY CLERK
2000 North Calhoun Road
Brookfield, Wisconsin 53005-5095
(262) 782-9650 Fax (262) 796-6671

MEMORANDUM

Date: March 7, 2023
To: Legislative & Licensing Committee
From: Mary Schulz CAP
Administration & Licensing Clerk
Re: Original Bartender/Operator License – with violations

Gesell, Benjamin A.: Doubletree

- 1-24-2019 – Violation: Too Fast for Conditions and No Compulsory Insurance (City Kenosha)
- 2-14-2019 – Disposition: **Guilty**, Too Fast for Conditions and No Compulsory Insurance (City Kenosha Municipal Court, Points = 4
- 6-14-2019 – Violation: Operating While Suspended and No Compulsory Insurance (City Kenosha)
- 7-3-2019 – Disposition: **Guilty**, Operating While Suspended and No Compulsory Insurance (City Kenosha Municipal Court), Points = 3
- 1-20-2020 – Violation: Operating While Intoxicated and Blood Alcohol Content (City Kenosha)
- 3-6-2020 – Disposition: **Guilty**, Blood Alcohol Content (BAC level .14) (DOT Action), Driver's license suspended for 6 months
- 5-1-2020 – Disposition: **Guilty**, Operating While Intoxicated (City Kenosha Municipal Court), Driver's license revoked for 6 months, Points = 6
- 6-5-2020 – Violation: Unregistered Vehicle and License not on Person (County Kenosha Circuit Court)
- 6-11-2020 – Disposition: **Guilty**, Unregistered Vehicle (County Kenosha Circuit Court)
- 6-17-2020 – Disposition: Driver's license revoked for 77 days due to Non-Compliance – Appear for Assessment Interview (DOT action)
- 8-5-2020 – Disposition: **Guilty**, License not on Person (County Kenosha Circuit Court)
- 8-15-2020 – Violation: Unregistered Vehicle (County Kenosha Circuit Court)
- 9-3-2020 – Occupational Driver's license reinstated
- 11-6-2020 – Operator's Driver's license reinstated
- 6-11-2021 – Disposition: **Guilty**, Unregistered Vehicle (County Kenosha Circuit Court)
- 9-3-2021 – Driver's license revoked for 328 days due to Non-Compliance – Driver Safety Plan
- 8-1-2022 – Operator's Driver's license reinstated

#87



CITY OF BROOKFIELD
APPLICATION FOR OPERATOR'S LICENSE

- Select Type: ORIGINAL (use for new applicant or if a prior license has expired) - \$72
 Provisional - 60 days with original application - add \$15
 RENEWAL (Use if you have a current license expiring on June 30th) - \$72

NOTE: If you have lived outside WI in the last 5 years, you will be charged an additional \$25 fee for each background check in the other states you've lived in.

COMPLETE FULLY (Must be legible)

NAME: Gesell Benjamin A
 Last Name First Name Middle Initial Maiden Name if applicable

HOME ADDRESS: 939 E Homer St. Apt 17 Milwaukee, WI 53143
 (House # and Street) (City, State & Zip Code)

DATE OF BIRTH:

PHONE NUMBER: _____ E-MAIL ADDRESS: _____

NAME AND ADDRESS OF EMPLOYER: (List where are you working as a bartender or Citywide if you have not obtained employment yet write n/a):
 Doubletree by Hilton Milwaukee-Brookfield 18155 W. Bluemound Rd. Brookfield, WI 53045

1. Do you now hold or have you ever been granted any license or permit associated with the sale of Alcoholic Beverage? YES NO

If yes, list type of license, dates held and issuing jurisdiction:

Bartender's License-Kenosha County 2016-2021

2. Have you completed the training session on alcohol beverage regulations? YES NO

If yes, list name of the course completed and date (attach your course completion certificate)

Wisconsin Alcohol Seller/Server Course 2/10/23

- If no, are you currently registered to attend a responsible beverage course? YES NO

If yes, list name of course registered to attend and date (attach your registration confirmation)

If no, have you held either a retail, operator's or manager's license in the State of Wisconsin, within the past two years? YES NO

If yes, list type of license, dates held and issuing jurisdiction: (attach copy of your recent license)

3. Have you lived in Wisconsin less than 5 years? YES NO

If yes, list prior city, state and zip code of each residency in the last 5 years:

4. Have you been convicted by a military courts-martial or less than honorably discharged? YES NO

If yes, list conviction(s) or discharge date(s) and offense(s):



CITY OF BROOKFIELD
APPLICATION FOR OPERATOR'S LICENSE

(For the purpose of answering the following questions: An ADULT is someone who is 17 years of age or older. A JUVENILE is someone who is less than 17 years of age.) If you are unsure whether to list a violation, LIST IT. A background check will be performed, and omitting a violation may be cause for denial

- 5. Have you been charged, ticketed, cited, or arrested for ANY violation of state, federal or local laws within the past five (5) years (including crimes, forfeitures, military violations, traffic violations and all tickets, except parking tickets?) YES [checked] NO []

If yes, list offence(s) conviction date(s) and jurisdiction(s):
Misdemeanor Driving While Intoxicated (Kenosha County 06/2020) , Non-Registration of Vehicle (

- 6. As an ADULT have you been arrested for which there are pending charges against you of any kind, including by a military authority? YES [] NO [checked]

If yes, list arrest date(s), charge(s) and jurisdiction(s) where arrested:

- 7. Have you been on probation, extended supervision, or parole or been released from probation, extended supervision, or parole less than one year prior to the date of your application? YES [] NO [checked]

If yes, list arrest date(s), charge(s) and jurisdiction(s) where arrested:

- 8. As a JUVENILE have you been adjudicated delinquent within the past five (5) years (violated state or federal criminal law)? YES [] NO [checked]

If yes, list offense(s), date(s) and jurisdiction(s):

READ CAREFULLY BEFORE SIGNING:

I hereby apply for an Operator's License to serve Alcohol Beverages and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State or Local, affecting the sale of alcohol beverages if a license is granted to me.

I authorize the City of Brookfield to, within one year of its date, obtain information and records pertaining to me from any source and to release said information to City staff and officials involved in the review of this application. I hereby release any individual or institution, including its officers, employees, or related personnel, both individually, and collectively, from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, or family because of compliance with this authorization to release information or any attempt to comply with it.

I declare that all of the above information is true and correct to the best of my knowledge and belief. I understand that untruthful information will lead to denial of this license application.

[checked] By checking this box, I am indicating that I am also applying for a provisional license. I hereby swear under the penalties of perjury that I am not habitual law offender as defined in the instructions above; have not been convicted of a felony and have not been previously denied an operator's license by the City.

Signature of Applicant: Benjamin A. Gesell [Signature] Date: 2/13/2023



CITY OF BROOKFIELD
APPLICATION FOR OPERATOR'S LICENSE

(Attach a copy of applicant's Wisconsin Driver's License or Wisconsin ID card)

NONE

FOR POLICE USE ONLY:

POLICE DEPARTMENT HAS INVESTIGATED THE APPLICANT AND RELATED RECORDS REFLECT THE FOLLOWING DURING THE PAST 5 YEARS (including convictions for which the applicant is on probation, parole or extended supervision or was released from probation, parole, or extended supervision within the past year):

Signature of Police Department Personnel

Date

FOR CLERK USE ONLY: Applicant has requested Provisional? YES NO

1. Previously denied an operator's license by City? YES NO
(If yes, a provisional can't be issued, but may proceed with normal application review)

2. A habitual law offender or felony conviction? YES NO
(If yes, a provisional can't be issued)

3. Responsible Beverage Server Course completion or enrollment provided? YES NO
(If no, a provisional can't be issued)

4. The fee for provisional license has been collected? YES NO
(If no, a provisional can't be issued)

By the authorized signature below, a Provisional Operator's License has been granted on the date below expiring upon issuance of a regular operator's license, or upon 60 days whichever is sooner. *(Attach copy of provisional license issued to Operator from License Manager System)*

Signature of Clerk/Deputy Clerk

Date