

RESOLUTION # _____ OF THE CITY OF BROOKFIELD, WISCONSIN

Committee: Legislative & Licensing
Committee Date: April 4, 2023
Committee Recommendation:

Public Hearing: n/a
Council Date: April 18, 2023
Council Action:

***Original Bartender/Operator License for an applicant with
violations – Fontaine A. Bogan, Sr.***

WHEREAS, an applicant, Fontaine A. Bogan, Sr., 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 April 4, 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 Fontaine A. Bogan, Sr., 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.

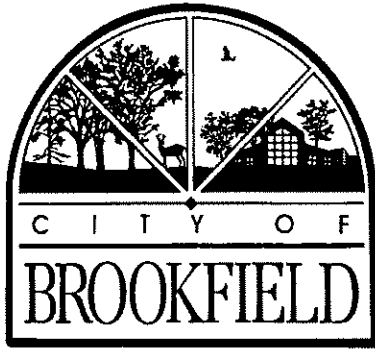
Adopted this 18th day of April, 2023.

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: April 4, 2023
To: Legislative & Licensing Committee
From: Mary Schulz CAP
Administration & Licensing Clerk
Re: Original Bartender/Operator License – with violations

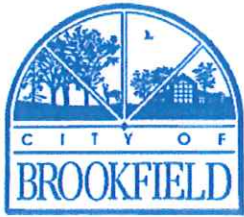
Bogan, Sr., Fontaine A.: Whirlyball

2002 – 2012 – Violations Summary:

- 8-12-2002 – Assault & Battery, 1st Degree Sexual Assault of Child, 2nd Degree Sexual Assault of Child (both dismissed, no prosecution)
- 4-27-2004 – Possession of THC – Convicted, Fined
- 9-30-2004 – Possession of THC, Resisting or Obstructing an Officer, Possess Drug Paraphernalia (no disposition given)
- 11-27-2004 – Possession of THC (amended by prosecutor), Resisting or Obstructing an Officer (dismissed), Disorderly Conduct (criminal complaint is dismissed, convicted), Fine to be paid at rate of \$50/month or 4 days in jail
- 2-23-2006 – Maintain Drug Trafficking Place (no prosecution)
- 2-3-2009 – Operating/Driving a Motor Vehicle under the Influence of an Intoxicant (City West Allis), Guilty, Driver's License revoked for 7 months, Points = 12, Operating/Driving a Motor Vehicle with a Prohibitive Alcohol Concentration, Guilty, Driver's License suspended for 6 months (DOT action), Possession of Drug Paraphernalia (convicted, fined)
- 5-5-2009 – Driver's License revoked for 644 days du to Non-Compliance/Appear for Assessment Interview (DOT action)
- 2-7-2010 – Disorderly Conduct (Domestic Abuse Related)(no prosecution)
- 3-15-2010 – Battery (no prosecution), Operating While Revoked
- 2-14-2011 – Driver's License reinstated
- 5-27-2011 – Driver's License revoked for 67 days due to Non-Compliance/Driver Safety Plan (DOT action)
- 8-3-2011 – Driver's License reinstated
- 11-18-2011 – Point Reduction School, Points = 3
- 2-24-2016 – Violation: No or Improper Lights (City Milwaukee)
- 3-28-2016 – Disposition: **Guilty**, No or Improper Lights (City Milwaukee Municipal Court)
- 11-21-2019 – Violation: Speeding Intermediate (11-19 over) (County Milwaukee)
- 12-16-2019 – Disposition: Guilty, Speeding Intermediate, Posted 55 over 15 (County Milwaukee Circuit Court) Points = 4

- 3-30-2021 – Violation: Imprudent Speed and No Compulsory Insurance (County Milwaukee)
- 4-25-2021 – Violation: Accident, No Compulsory Insurance (City Milwaukee)
- 6-2-2021 – Disposition: **Guilty**, Imprudent Speed and No Compulsory Insurance (County Milwaukee Circuit Court) Points = 4
- 6-22-2021 – Violation: Speeding Intermediate (11-19 over) (City Oak Creek)
- 7-15-2021 – Violation: Accident, Failure to Keep Vehicle Under Control (County Milwaukee)
- 9-13-2021 – Disposition: **Guilty**, Property Damage, Failure to Keep Vehicle Under Control (County Milwaukee Circuit Court) Points = 4
- 10-2-2021 – Disposition: **Guilty**, Speeding Intermediate, Posted 35 over 15 (City Oak Creek Municipal Court) Points = 4
- 10-5-2021 – Driver's License suspended for 2 months (DOT action)
- 1-12-2022 – Disposition: **Guilty**, Property Damage and No Compulsory Insurance (City Milwaukee Municipal Court)
- 2-20-2022 – Driver's License reinstated
- 9-3-2022 – Violation: Speeding Intermediate (11-19 over) (County Rock)
- 9-12-2022 – Violation: Speeding Intermediate (11-19 over) and Operating While Registration Suspended (Town Milton)
- 10-20-2022 – Disposition: **Guilty**, Speeding Intermediate, Posted 55 over 18 and Operating While Registration Suspended (Town Milton Municipal Court) Points = 4
- 12-2-2022 – Disposition: **Guilty**, Speeding Intermediate, Posted 55 over 18 (County Rock Circuit Court) Points = 4
- 12-5-2022 – Habitual Offender Warning Letter
- 2-15-2023 – Driver's License suspended for 1 year due to Failure to Pay Forfeiture (County Rock Circuit Court)

#87⁰⁰
Pd 3-14-23



CITY OF BROOKFIELD INFORMATION AND CRITERIA OPERATOR'S LICENSE APPLICATION

- ORIGINAL - new applicant or expired license - \$72
- RENEWAL - current license expiring on June 30 - \$72
- PROVISIONAL - add \$15 - without this, you must work with a licensed bartender at all times until you get your original license.

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.

FULL NAME (include maiden name(s)):

Fontaine A. Bogan Sr.

FULL HOME ADDRESS:

3745 S. Rivershire Dr., Apt. #3
Greenfield, Wisconsin 53228

DATE OF BIRTH: _____

PHONE NUMBER: _____

YOUR E-MAIL ADDRESS: _____ @m

YOUR MANAGER'S EMAIL: _____

All emails sent will be sent to both email addresses listed.

NAME OF EMPLOYER: WhirlyBall Brookfield LLC

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:

Franklin, WI 2020, 2021 Milwaukee - 2020

2. Have you completed the training session on alcohol beverage regulations OR are you currently registered to attend a responsible beverage course?

YES NO

If yes, include information on your course and attach a copy to the application:

3. 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, include information on your license and attach a copy to the application:

4. Have you lived in Wisconsin less than 5 years?

YES NO

If yes, list prior city & state(s) of residency in the last 5 years:

5. Have you been convicted by a military court-martial or have been less than honorably discharged?

YES NO

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

(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.**

6. Have you been charged, ticketed, cited, or arrested for ANY violation of state, federal, or local laws within the past 5 years (including crimes, forfeitures, military violations, traffic violations, and all tickets, except parking tickets)?

YES NO

If yes, list offense(s), date(s), and jurisdiction(s): (use separate sheet if needed)

12/3/19 - Speeding - Milwaukee, 4/30/21 - Unreasonable/Imprudent Speed - Operating w/o Insurance, 8/18/21 - Failure to Keep Vehicle under Control (Milwaukee)
9/6/22 - Speeding - Rock County (Milwaukee)

7. 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

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

8. 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

If yes, list release date(s), charge(s), and jurisdiction(s):

9. As a JUVENILE have you been adjudicated delinquent within the past 5 years (violated state or federal criminal law)? YES NO

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

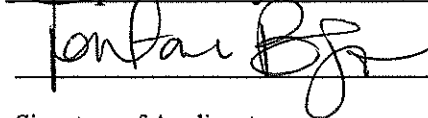
READ CAREFULLY BEFORE SIGNING:

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 alcoholic beverages if a license is granted to me.

I authorize the City of Brookfield to, within one year of the date of my signature below, 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 the City of Brookfield, including its elected officials, officers, employees, or authorized agents, 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 assigns 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 the denial of this license application.

I hereby swear under the penalties of perjury that I am not a 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 of Brookfield.



3/10/23

Signature of Applicant

Date

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:

- a. Applicant has requested Provisional. YES NO
- b. 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)*
- c. A habitual law offender or felony conviction. *YES NO
(if yes, a provisional can't be issued)*
- d. Responsible Beverage Server Course completion or enrollment provided. YES *NO
(If no, a provisional can't be issued)*
- e. The fee for the provisional license has been collected. YES NO

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 a copy of the provisional license issued to Operator from License Manager System)*

 Anne Indyan
Signature of Clerk/Deputy Clerk

 3-24-23
Date