

# MEMORANDUM

TO: City Clerk  
FROM: Daniel A. Meyer, Chief of Police  
SUBJECT: Disapproval of Beverage Operator's License Application for **Nicolas M Wingate**  
DATE: October 17, 2025

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On October 8, 2025, Nicholas M Wingate, [REDACTED], Whitewater, WI 53190, applied for a beverage operator's license to work, without supervision, at Brass Rail, 130 W Main St #1904, Whitewater, WI 53190. At that time the usual background investigation was conducted.

Effective October 17, 2025, the following information is being supplied on an official basis concerning the beverage operator's license application of Nicholas M Wingate. Pertinent records of the local and state agencies have been searched as of this date with the following results: (Only that information which would bear upon this application is recorded. Traffic violations are excluded.)

## **MIDDLETON POLICE DEPARTMENT**

**04-06-2009: POSSESSION OF A CONTROLLED SUBSTANCE (THC) - CONVICTED**

## **DELAVAN TOWNSHIP POLICE DEPARTMENT**

**11-20-2011: OPERATING WHILE UNDER THE INFLUENCE**

**Nicolas M Wingate stated on his application that he has not been charged with or convicted of any crime, traffic violation, or violations of municipal ordinance.**

An operator at an alcohol establishment has an obligation to reasonably deal with various rules and regulations regarding alcohol. These arrests show that Nicholas M Wingate has displayed an inability to abide by these laws. We therefore do not believe that he has the appropriate ability to handle the responsibility that the license requires.

Qualifications for license in accordance with Wisconsin State Statute 125.04(5)(a) as affected by Chapter 79 and 391, Laws of '81 effective 1/1/82 which states in part: "Natural persons. Licenses and permits related to alcohol beverages, issued to natural persons under this chapter, may be issued only to persons who: 1. Do not have an arrest or conviction record, subject to s. 111.321, 111.322, and 111.335: . . ." Statute 111.335---Arrest or conviction record: Exceptions and special cases---reads in part: "(c) Notwithstanding s. 111.322 it is not employment discrimination because of conviction record to refuse to employ or license, or to bar or terminate from employment or licensing any individual who: 1. Has been convicted of any felony, misdemeanor or other offense the circumstances of which substantially relate to the circumstances of the particular job or licensed activity; ..."

Based on the above information, I recommend that this applicant be denied his beverage operator's license application. These offenses he has been arrested for DO substantially relate to the circumstances of the particular job or licensed activity as required under Chapter 125.

DM/jh