



Council Agenda Item

Meeting Date: February 20, 2024

Agenda Item: Viktor Venta BOL appeal

Staff Contact (name, email, phone): Heather Boehm, hboehm@whitewater-wi.gov

BACKGROUND

(Enter the who, what when, where, why)

On August 28, 2023, Mr. Venta applied for a Beverage Operator's License. On September 5, 2023, Chief Dan Meyer denied the license, also on September 5, 2023, a letter informing Mr. Venta of the denial was sent by the City Clerk's office via regular and certified mail. The Clerk's office received an email requesting an appeal from Mr. Venta on January 5, 2024.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

On February 12, 2024, the Alcohol Licensing Committee voted 3-0 to restate Mr. Venta's Beverage Operator's License.

FINANCIAL IMPACT

(If none, state N/A)

STAFF RECOMMENDATION

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Venta's letter requesting an appeal, Chief Meyer's denial letter.

Heather Boehm

From: Viktor Venta <viktorventa21@gmail.com>
Sent: Friday, January 5, 2024 1:47 PM
To: City Clerk Staff
Subject: Beverage operators license

Follow Up Flag: Follow up
Due By: Friday, February 2, 2024 3:30 PM
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

My name is Viktor Venta, I am a senior at the university of whitewater and I'm reaching out in regards to appealing the decision of denying my Beverage operators license. Reason for denial was the fact I had an underage drinking ticket on 4/23/22. My decisions as a middle aged college student were not bright and do not correctly demonstrate who I am as a person. Work and fun are two different categories and call for different attitudes, especially when controlling and serving alcoholic substances. I understand I had made a mistake prior, but I would like to schedule a meeting to talk about this situation and potentially receiving my license . Thanks for taking that time to read this, looking for leads to hearing from you!

Best regards,
Viktor Venta

MEMORANDUM

TO: City Clerk
FROM: Daniel A. Meyer, Chief of Police
SUBJECT: Disapproval of Beverage Operator's License Application for **Viktor John Venta**
DATE: September 5, 2023

On August 28, 2023, Viktor John Venta, 275 N Tratt St, applied for a beverage operator's license to work, without supervision, at The College Pub, 202 W Whitewater St. Whitewater, WI 53190. At that time the usual background investigation was conducted.

Effective September 5, 2023, the following information is being supplied on an official basis concerning the beverage operator's license application of Viktor John Venta. 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.)

WHITEWATER POLICE DEPARTMENT

04/23/2022 – UNDERAGE ALCOHOL ADULT-UNLICENSED PREMISE (1ST OFFENSE)

An operator at an alcohol establishment has an obligation to reasonably deal with various rules and regulations regarding alcohol. These arrests show that Viktor John Venta 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/JT