

**WEST ALLIS COMMON COUNCIL
LICENSE AND HEALTH COMMITTEE
CITY OF WEST ALLIS**

**In the Matter of the
Complaint Against**

Summons

**Hideout West Allis Inc.,
d/b/a The Hideout,
Daniel R. Seiy, agent.**

STATE OF WISCONSIN)
) ss.
COUNTY OF MILWAUKEE)

THE WEST ALLIS COMMON COUNCIL TO Daniel R. Seiy:

You are hereby notified that a sworn complaint, a copy of which is attached, has been duly made and filed, requesting a hearing on the suspension, revocation, or non-renewal of your Class "B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License, and Instrumental Music License, pursuant to the provisions of Sec. 125.12, Wis. Stat. and West Allis Revised Municipal Code Sections 9.02(20) and 9.032(7).

NOW THEREFORE, you, Daniel Seiy, are hereby summoned to appear before the License and Health Committee of the West Allis Common Council in Room 128 of the West Allis City Hall, 7525 West Greenfield Avenue, West Allis, Wisconsin, on April 25th, 2017, at 6:00 p.m., or as soon thereafter as this matter can be heard, to admit or deny the allegations in the complaint. You may be represented by counsel on this date.

In the case of your failure to appear as required by this summons, the allegations in the complaint against you shall be taken as true and, if the License and Health Committee of the West Allis Common Council finds the allegations sufficient, a recommendation that your license(s) be suspended or revoked will be made to the full Common Council. The Common Council may then vote to suspend, revoke, or not renew your license(s).

You are further notified that if you appear as required by this summons and contest the allegations in the complaint, a hearing will be scheduled at a later date before the License and Health Committee, at which time you may be represented by counsel, cross examine the witnesses who testify adversely against you, and present witnesses in your own behalf. A written transcript of said hearing shall be made and you may obtain a copy of the transcript of this proceeding at your expense.

Dated at West Allis, Wisconsin, this 20 day of April, 2017.

WEST ALLIS COMMON COUNCIL

By: Ann Marie Neff
Ann Marie Neff, Clerk Specialist II

**WEST ALLIS COMMON COUNCIL
LICENSE AND HEALTH COMMITTEE
CITY OF WEST ALLIS**

**In the Matter of the
Complaint Against**

COMPLAINT

**Hideout West Allis Inc.,
d/b/a The Hideout,
Daniel R. Seiy, agent.**

**STATE OF WISCONSIN)
) ss.
COUNTY OF MILWAUKEE)**

Michael J. Czaplewski, being duly sworn, on oath deposes and states as a complaint against Hideout West Allis Inc, as follows:

1. That the complainant is a resident of the City of West Allis, is the duly elected Alderperson for the First Aldermanic District in the City of West Allis, is the chair of the License and Health Committee, and makes this complaint at the direction of the License and Health Committee of the West Allis Common Council.
2. That the information contained in this complaint comes from the complainant's review of official records maintained by the City of West Allis and the City of West Allis Police Department, which records complainant believes to be reliable and accurate.
3. That Hideout West Allis Inc. is the holder of a 2016-2017 "Class B" intoxicating Liquor and 2016-2017 Class "B" Fermented Malt Beverage License under license number 1840; issued by the West Allis Common Council on July 8, 2016 for the license period beginning July 1, 2016 through June 30, 2017 for the premises located

at 6201 W. Mitchell Street, West Allis, Wisconsin; and does business under the trade name, "The Hideout."

4. That Hideout West Allis Inc. is the holder of a 2016-2017 Instrumental Music License under license number 2051, as issued by the West Allis Common Council for the same time period as license 1840 as noted in paragraph 3.
5. That Daniel R. Seiy is the registered agent for Hideout West Allis Inc.
6. That Daniel Seiy was previously the agent of "Danny's Lounge", Danny's Entertainment, Inc. which had stipulated to surrender its liquor license in 2012. A copy of that summons and complaint is attached to this complaint as exhibit 1 and a copy of the stipulation is attached to this complaint as exhibit 2.
7. That on February 16, 2017, at approximately 1:56 a.m., West Allis Police Officer Bret Vanden Boogard was on patrol and observed several parties standing outside of the Hideout bar, as listed above, located at 6201 W. Mitchell Street in the City of West Allis, Wisconsin. These subjects were yelling at someone inside of the bar.
8. Officer Vanden Boogard reported that he made contact with the subjects that were involved in the verbal altercation, both inside and outside of the bar, and was approached by Daniel Seiy, the agent for Hideout West Allis Inc. who notified police that he did not call police because the incident just occurred. Additional officers arrived on the scene to assist in breaking up the altercation. Officer Vanden Boogard reported that as the altercation continued outside, Daniel Seiy walked back into his tavern and locked the door to the tavern.

9. Officer Vanden Boogard reported that the primary person involved in the altercation, Adam Covington, was highly intoxicated when speaking with officers and had previously been in The Hideout before and during the altercation.
10. Based upon the investigation, Officer Vanden Boogard determined that it would be necessary to investigate any potential video from within the bar and attempted to enter the bar to make contact with the owner, Daniel Seiy. Officers were unable to enter the bar for approximately thirty minute as they continued to knock on multiple locked doors to the bar. Officer Vanden Boogard also had persons working at the bar, in addition to West Allis Police Department Dispatch, attempt contact Daniel Seiy by phone, but he did not answer.
11. Officer Vanden Boogard reported that after approximately 30 minutes of attempting to contact the bar owner, Daniel Seiy eventually came to the door. Daniel Seiy appeared to be highly intoxicated and eventually did allow officers to enter the bar to ensure there were no injured parties inside. Daniel Seiy admitted that none of the bartenders who were working that evening had a bartender's license.
12. Daniel Seiy was asked multiple times why he did not respond to the door when police were trying to contact him nor answer the police calls and Daniel Seiy could not provide a reason. Daniel Seiy admitted to Officer Vanden Boogard that he knew police were on scene.
13. Daniel Seiy was issued a citation by Officer Vanden Boogard for "Refusing Police Permission to Enter Licensed Premises."
14. On March 28th, 2017, Daniel Seiy attended the West Allis License and Health Committee Meeting regarding the above listed allegations, where he stated to the

committee that he returned to his licensed premises around 1:30 and released the other licensed bar operator, thereby became the sole licensed operator on the premises. Daniel Seiy admitted that he “over-celebrated that night,” and that when he put the people out that were arguing by the side door, “told them to go home”, and “the police must have come then.” Daniel Seiy stated that he recalls going downstairs to take a nap and that when police did eventually make contact with him; he had “no comment” for officers because of his level of impairment.

15. This complaint is also based upon the police reports by Officer Jacob Kaye stemming from an incident that occurred on October 30, 2016. Officer Kaye reports that officers were dispatched to the Hideout located at 6201 W. Mitchell Street regarding physical fighting. Officer Kaye made contact with Rebecca Ables, who was tending bar at the Hideout, and had indicated that she finally called police after the third fight in the bar that evening. Rebecca Ables reported that she was a last minute “fill in” bartender at the Hideout and that it was the first time she had worked at the establishment.

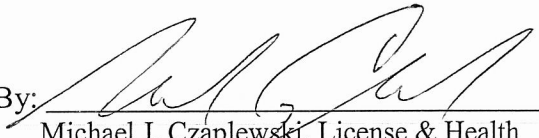
16. Officers attempted to obtain a surveillance video of the incident that night, but because there was nobody who actually previously worked at the bar present, they were unable to obtain the video that evening. Officer Sharif Said reported that he had to ask a male subject who was familiar with the bar owner to request the video for officers that evening.

17. That based on the incidents referenced in this complaint, Hideout West Allis Inc. has maintained a disorderly or riotous, indecent, or improper house, has sold alcohol to intoxicated persons, and has failed to have a licensed operator on premises who is able to supervise nonlicensed bartenders, contrary to Wisconsin Statute Sections

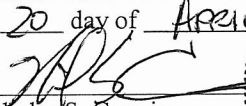
125.12(2)(ag)1 and 2, Section 125.07(2)(a)(2), Section 125.32(2), in addition to West Allis Revised Municipal Code Sections 9.02(12)(a), (b), and (c), Section 9.02(20)(4), Section 9.02(20)(9), and 9.032(7); which substantially relate to the licensed/permitted activity; and is the grounds for non-renewal, suspension, or revocation of its "Class B" Intoxicating Liquor and Class "B" fermented Malt Beverage License, and the Instrumental Music License as referenced in this complaint.

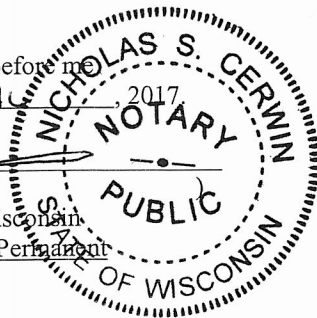
WHEREFORE, Michael J. Czaplewski requests that Hideout West Allis Inc., by agent Daniel R. Seiy, be summoned to appear before the License and Health Committee of the West Allis Common Council to answer this complaint and, if the material allegations of the complaint are denied, that a hearing be held to determine whether the Class "B" Intoxicating Liquor and Class "B" Fermented Malt Beverage License, should be revoked, suspended, or not renewed.

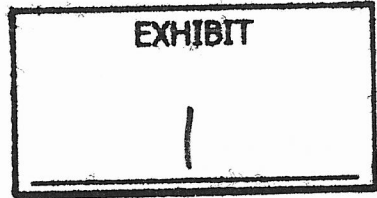
Dated this 20 day of April, 2017.

By: 
Michael J. Czaplewski, License & Health
Committee
West Allis Common Council

Subscribed and sworn to before me
this 20 day of April, 2017.


(Nicholas S. Cerwin
Notary Public, State of Wisconsin
My Commission expires: Permanent





WEST ALLIS COMMON COUNCIL
LICENSE AND HEALTH COMMITTEE
CITY OF WEST ALLIS

In the Matter of the
Complaint Against

SUMMONS

Danny's Entertainment, Inc., d/b/a Danny's Lounge,
Daniel Seiy, agent
1902 South 60th Street
West Allis, Wisconsin 53219

STATE OF WISCONSIN)
) SS.
COUNTY OF MILWAUKEE)

THE WEST ALLIS COMMON COUNCIL TO DANIEL SEIY:

You are hereby notified that a sworn complaint, a copy of which is attached, has been duly made and filed, requesting a hearing on the suspension, revocation, or non-renewal of your Class B Intoxicating Liquor License, Class B Fermented Malt Beverage License, Dance Hall License, and Instrumental Music License pursuant to the provisions of sec. 125.12, Wis. Stats.

NOW THEREFORE, you, Daniel Seiy, are hereby summoned to appear before the License and Health Committee of the West Allis Common Council in Room 128 of the West Allis City Hall, 7525 West Greenfield Avenue, West Allis, Wisconsin, on September 18, 2012, at 7:00 p.m., or as soon thereafter as this matter can be heard, to admit or deny the allegations in the complaint. You may be represented by counsel on this date.

In the case of your failure to appear as required by this summons, the allegations in the complaint against you shall be taken as true and, if the License and Health Committee of the West Allis Common Council finds the allegations sufficient, a recommendation that your

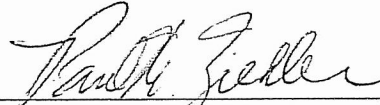
license(s) be suspended or revoked will be made to the full Common Council. The Common Council may then vote to suspend, revoke, or not renew your license(s).

You are further notified that if you appear as required by this summons and contest the allegations in the complaint, a hearing will be scheduled at a later date before the License and Health Committee, at which time you may be represented by counsel, cross examine the witnesses who testify adversely against you, and present witnesses in your own behalf. A written transcript of said hearing shall be made and you may obtain a copy of the transcript of this proceeding at your expense.

Dated at West Allis, Wisconsin, this 10th day of September, 2012.

WEST ALLIS COMMON COUNCIL

By:



Paul M. Ziehler, City Administrative Officer,
Clerk/Treasurer

*Incident
#1*

5. That on June 11, 2011, at approximately 2:27 a.m., West Allis Police Department Officer Steven Kuhnmuench was monitoring the crowd at Danny's Lounge as it closed for the night when he observed an intoxicated male, Daniel Branaman, yelling at passing cars and screaming various profanities at the police. A search revealed Branaman to be in possession of an open and half full bottle of beer. Officer Kuhnmuench arrested and cited Branaman for disorderly conduct and consuming intoxicants in public.

*Incident
#2*

6. On February 29, 2012, at approximately 1:17 a.m., West Allis police officers responded to Danny's Lounge after Officer Phillip Noche stopped a vehicle whose driver indicated that he was involved at a disturbance at the tavern. Investigation revealed that Howard Goodman and Kevin Piotrowski were involved in a fight inside Danny's Lounge and that Goodman had punched Piotrowski and poured his drink on him. No employee of Danny's Lounge had called the police to report the incident. When Officer Timothy Gold spoke with Seiy, Seiy stated that he did not see any blood and that was why he did not call the police. Seiy later changed his statement to indicate that he did not see the incident at all. Due to his failure to cooperate and provide useful information about the fight, Officer Gold cited Seiy for failing to cooperate with the police, under Ordinance 9.02(12)(b). At trial, on June 19, 2012, West Allis Municipal Court Judge Paul Murphy found Seiy guilty of this offense.

7. That on March 18, 2012, at approximately 12:29 a.m., Danny's Lounge security employee, Patrick Burich, flagged down Officer James Cato. Officer Cato, who observed numerous people outside the tavern, observed two males, Dante Rhodes and Devan Lee, causing a disturbance. Investigation revealed that Danny's Lounge's security had told Rhodes and Lee several times to leave, but they continued to loiter.

Rhodes was yelling profanities, admitted to arguing with Lee, and was intoxicated. Lee was uncooperative with officers and refused to be escorted by officers away from the scene. Both Lee and Rhodes were cited for disorderly conduct.

- #4
8. That on July 14, 2012, at approximately 1:29 a.m., West Allis police officers were investigating a fight at Las Palmas when they observed security employees from Danny's Lounge removing tavern patron, Rufus Scott, from the premises. Scott was intoxicated, yelling, and swearing while outside the tavern. Investigation revealed that Scott was inside Danny's Lounge pushing other patrons and trying to start a fight. Scott was cited for disorderly conduct.

- #5
9. That on August 18, 2012, at approximately 2:02 a.m., West Allis police officers were dispatched to Danny's Lounge due to shots being fired. Investigation revealed that several men were engaged in a disagreement about one of the men dancing with some women present in the tavern that night. At closing time, two of the men, Damon Howard and Erik Cole, exited the tavern and were confronted by several other male tavern patrons about the incident inside the tavern. A mob quickly formed, and witnesses observed approximately 12 to 14 people in the street arguing. As Danny's Lounge's security tried to break up the arguments, Howard and Cole entered a sport-utility vehicle. Howard started driving the vehicle directly at tavern patron Dontriel Smith, who was standing in the street. The vehicle struck Smith and caused him to suffer a torn ligament in his knee. Howard then continued driving west on Burnham Street, struck at least two other vehicles, and struck tavern patron Alisha Gathing, who was standing in the street near her vehicle. As a result of being struck, Gathing suffered multiple bruises and a broken arm, which required surgery. Howard continued driving and struck another vehicle and continued traveling on Burnham Street at a high rate of speed. At this time, Christopher Buford, another

Danny's Lounge patron, who had been consuming alcohol, ran after Howard's vehicle and shot his pistol three times at it. Howard continued driving until the tire blew out on the vehicle. Howard and Cole then left the damaged vehicle in a school parking lot and fled the scene.

10. That when officers were initially dispatched to Danny's Lounge to investigate the incident, they observed a chaotic crowd of over 100 people gathering in the immediate area of the tavern. Due to the size of the crowd and the chaotic situation, the West Allis police requested mutual aid from West Milwaukee Police Department and the Milwaukee County Sheriff's Department. Officers later found Howard near the VA Hospital, and he was observed to be intoxicated. After establishing a perimeter and utilizing a canine track, officers found Cole hiding in the yards a few blocks away. Due to his uncooperativeness, officers had to take Cole into custody at gunpoint with a canine apprehension.
11. That the Milwaukee County District Attorney's Office charged Howard with two counts of first-degree recklessly endangering safety and three counts of duty upon striking an attended vehicle. Buford was arrested for endangering safety by reckless use of a firearm and operating a firearm while intoxicated; the District Attorney's Office has not yet made a charging decision on Buford's case.
12. That on August 21, 2012, at approximately 11:13 p.m., West Allis police officers were dispatched to Danny's Lounge for a large group of patrons outside of the tavern causing a disturbance. Upon the officers' arrival, the crowd dispersed and went back inside of the tavern. Officer Lucas Binter conducted a walk through of the tavern with three other officers and observed approximately 50-70 people inside the tavern. No other incidents were observed at that time, but officers determined that an "open mic" hip-hop themed event was occurring inside the tavern.

13. That on August 22, 2012, at approximately 1:00 a.m., West Allis police officers responded to Danny's Lounge for the report of several people yelling in the street. Upon arrival, Officer Shawn Lentz observed six males creating a disturbance outside the tavern. Officers asked the males to obey several commands, but they refused. One of the individuals, Christopher Harris, yelled obscenities and began instigating the group to act disorderly. Officer Lentz had to physically remove Harris from the area with the assistance of Officer Joseph Mathy.
14. That during this same time, Officer Noche ordered two of the males outside the tavern to stop. One of the males became argumentative with Officer Noche. While attempting to put that male in handcuffs, the other male started running. While he ran away from Officer Noche, he dropped a loaded 9 millimeter pistol from his waistband into the street. Both Officer Binter and Officer Noche chased the male, but were unable to locate him.
15. That while the chase occurred, the crowd outside Danny's became more boisterous. Several officers were on scene and telling patrons to leave, but several patrons were shouting profanities and refusing to leave. When Officer Noche returned to the tavern to tell people to leave, tavern patron Jeremiah Jeffries grabbed Officer Noche's back in an aggressive manner from behind and in a way that appeared he was about to attack Officer Noche. Officer Druscilla Schneider managed to pull Jeffries to the ground, and while on the ground, Jeffries resisted arrest and yelled profanities at Officer Noche. Also during this time, Officer Jason Vanderwerff was trying to disperse the crowd when he grabbed a male, Zachary Bynum, who was trying to push through the officers and possibly attack them. While he was trying to control that male, Freddie Ingram, ran up to Officer Vanderwerff's gun side. Officer Binter pushed Ingram and other members of the crowd away from him. Despite

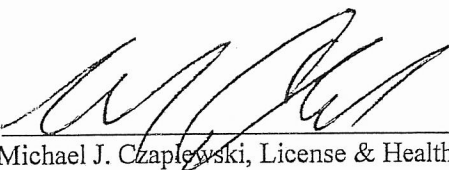
Officer Binter's yelling, "Get back," Ingram continued to move toward officers.

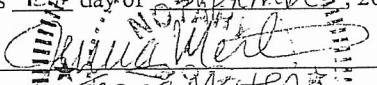
Officer Binter pushed him away again and placed him under arrest.

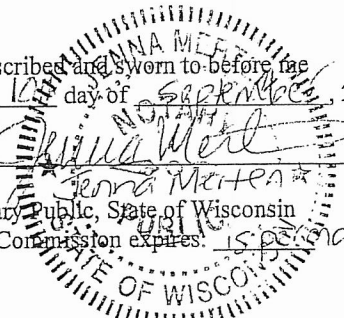
- 16. That due to the large boisterous crowd, Sergeant Clint Corwin requested mutual aid from the Milwaukee County Sheriff's Department and West Milwaukee Police Department. Approximately eight officers from these departments were on scene for an hour to help the West Allis police officers subdue the crowd outside Danny's Lounge. As a result of this incident, five men were cited for disorderly conduct.
- 17. That Danny's Entertainment, Inc., has violated the provisions of Chapter 125, Wis. Stats.; keeps or maintains a disorderly or riotous, indecent or improper house; and has violated sections 9.02(12)(b), 9.02(12)(c) and 9.02(12)(d) of the West Allis Revised Municipal Code.

WHEREFORE, Michael J. Czaplewski requests that Danny's Entertainment, Inc. be summoned to appear before the License and Health Committee of the West Allis Common Council to answer this complaint and, if the material allegations of the complaint are denied, that a hearing be held to determine whether the Class B Tavern Licenses, Dance Hall License, and Instrumental Music License should be revoked, suspended, or not renewed.

Dated this 10 day of SEPT., 2012.

By: 
 Michael J. Czaplewski, License & Health Committee
 West Allis Common Council

Subscribed and sworn to before me
 this 10 day of SEPT., 2012.

 (Jenna McTEA)
 Notary Public, State of Wisconsin
 My Commission expires: 12/31/2011



ORIGINAL

WEST ALLIS COMMON COUNCIL
LICENSE AND HEALTH COMMITTEE
CITY OF WEST ALLIS

In the Matter of the Complaint against Danny's Entertainment, Inc.,
D/b/a Danny's Lounge

STIPULATION

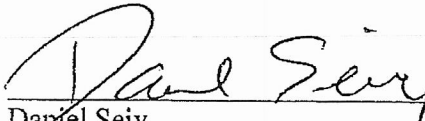
The West Allis City Attorney's Office, by Assistant City Attorney Jenna Merten, and Danny's Entertainment, Inc., by its agent, Daniel Seiy, and attorney, Vincent Bobot, hereby agree and stipulate as follows:

1. That the Summons and Complaint against Danny's Entertainment, Inc. was filed with the City Clerk/Treasurer pursuant to Wis. Stat. § 125.12(2);
2. That the Summons and Complaint was served in accordance with Wis. Stat. § 125.12(2)(ar);
3. That Danny's Entertainment, Inc. waives its right under Wis. Stats. § 125.12(2)(d) to appeal the proceedings had in this matter;
4. That sufficient grounds are stated in the complaint for the imposition of sanctions set forth in Wis. Stat. 125.12(2)(b)2;
5. That no licensed activity, including the serving of alcoholic beverages, shall occur at 1900 South 60th Street, West Allis, Wisconsin, by Danny's Entertainment, Inc. until a new license applicant is granted a tavern license for said premises.
6. That as a condition of a new applicant being granted a tavern license for said premises, Danny's Entertainment, Inc. shall surrender its licenses.

EXHIBIT

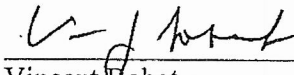
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7. That the allegations which form the basis of this complaint shall not be used as grounds for any future suspension, revocation, or non-renewal proceeding, except to the extent that the facts alleged in the complaint demonstrate a pattern of conduct for Danny's Entertainment, Inc.;
8. That the West Allis Common Council must approve this stipulation prior to it becoming effective;
9. That if the West Allis Common Council does not approve the agreement, the matter shall return to the License and Health Committee of the West Allis Common Council for hearing pursuant to Wis. Stat. 125.12(2)(b);
10. That if the West Allis Common Council approves this stipulation, the City of West Allis and Danny's Entertainment, Inc. are bound to the terms of the stipulation and failure to comply with said terms will result in continuation of the hearing procedures set forth in Wis. Stat. 125.12(2)(b).



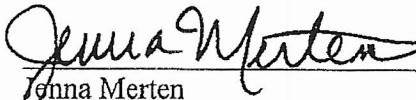
Daniel Seiy
Agent, Danny's Entertainment, Inc.

11/6/12
Date



Vincent Bobot
Attorney for Danny's Entertainment, Inc.

11-1-12
Date



Jenna Merten
Assistant City Attorney, City of West Allis

10/31/12
Date

CONCLUSIONS OF LAW:

1. That the conduct of Danny's Entertainment, Inc., d/b/a Danny's Lounge, described in the complaint substantially relates to the alcohol beverage licensed activity contrary to Wis. Stat. § 125.04(5)(c);

RECOMMENDATION:

Therefore, the License and Health Committee recommends to the Common Council of the City of West Allis that it adopt the stipulation entered into by Assistant City Attorney Jenna Merten, on behalf of the City of West Allis, and Vincent Bobot and Daniel Seiy, on behalf of Danny's Entertainment, Inc., in regard to the voluntary closure of Danny's Lounge until a new applicant is granted a tavern license.

Dated at this _____ day of _____, 2012.

By: _____
Michael J. Czapski
License & Health Committee
West Allis Common Council