

IN THE MATTER OF THE COMPLAINT AGAINST HIDEOUT WEST ALLIS INC.: CITY OF WEST ALLIS v. HIDEOUT WEST ALLIS INC., D/B/A THE HIDEOUT, with Registered Agent Daniel Seiy

State of Wisconsin)

: ss

AFFIDAVIT OF SERVICE

Milwaukee County)


Michael Lazaris

, under oath, says:

1. That affiant is a citizen and resident of the State of Wisconsin, over 18 years old, and is not a party nor in any manner interested in this proceeding.
2. That on 04/21/17, 2017, at 5:35 o'clock P.m., at The Hideout (6201 W. Mitchell St.), affiant served a copy of this **Summons and Complaint** on HIDEOUT WEST ALLIS INC., by personally delivering to and leaving a copy of same with:

a) The Agent, DANIEL SEIY.

b) Daniel Seiy, a person in charge of the office at 6201 W. Mitchell Street in the City of West Allis, d.b.a The Hideout. The person was informed of the contents of the summons.


(Signature of person serving papers)

Subscribed and sworn to before me
this 21 day of April, 2017.


()

Notary Public, State of Wisconsin
My Commission: 4/08/19



PO Michael Lazaris

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

David Gow
4/21/17
1735615

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.

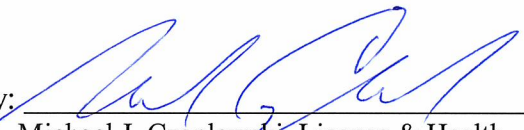
16. Officers attempted to obtain a surveillance video of the incident that night, but because there was nobody who actually previously worked at the bar present, they were unable to obtain the video that evening. Officer Sharif Said reported that he had to ask a male subject who was familiar with the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

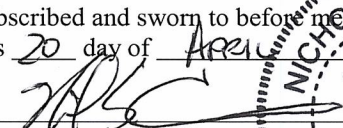
17. That based on the incidents referenced in this complaint, Hideout West Allis Inc. has maintained a disorderly or riotous, indecent, or improper house, has sold alcohol to intoxicated persons, and has failed to have a licensed operator on premises who is able to supervise nonlicensed bartenders, contrary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

