



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

Civil Division  
400 City Hall  
15 West Kellogg Blvd.  
Saint Paul, Minnesota 55102

Telephone: 651 266-8710  
Facsimile: 651 298-5619

November 7, 2011

### NOTICE OF VIOLATION

Chris Bangs  
Green Mill & Twisted Fork Grille  
1342 Grand Avenue  
St. Paul, MN 55105

RE: All licenses held by The Green Mill Inn, LLC d/b/a Green Mill for the premises located at 57 Hamline Avenue South in Saint Paul  
License ID #20070003903

Dear Mr. Bangs:

The Department of Safety and Inspections (DSI) will recommend adverse action against all licenses held by The Green Mill Inn, LLC d/b/a Green Mill for the premises located at 57 Hamline Avenue South in Saint Paul. The basis for the recommendation is as follows:

**On July 25, 2011, the Department of Safety and Inspections (DSI) - Environmental Health Division conducted an inspection of your establishment and cited you for four (4) CRITICAL-MINOR and five (5) CRITICAL-MAJOR Environmental Health Code violations two of which were: 1) Potentially hazardous foods not being maintained at proper temperatures (*on the grill a pan of Hollandaise at 116°F, a pan of black-bean corn salsa at 111°F*) and 2) Cold food not maintained at 41 degrees Fahrenheit or less (*next to the grill: roasted red potatoes 47°F, on the prep table in a pan of ice: batter 48°F, beaten egg 50°F and on the prep table: a flat of eggs 85°F*).**

**On July 27, 2011, you were sent a Notice of New Critical Violations listing the nine (9) violations and stating that they needed to be corrected. You were then informed that a re-inspection would take place on or after August 24, 2011.**

**On August 30, 2011, the Environmental Health Division of DSI conducted a re-inspection of your establishment and cited you for three (3) CRITICAL – MINOR violations and two (2) of the same CRITICAL-MAJOR Environmental Health Code violations that had not been corrected by the August 24, 2011, deadline: 1) Potentially hazardous foods not being maintained at proper temperatures (*on the grill a pan of Hollandaise at 109°F, a pan of black-bean corn salsa at 110°F*) and 2) Cold food not maintained at 41 degrees Fahrenheit or less (*next to the grill: roasted red potatoes range from 40°F bottom pan to 72°F top of the pan. These need to be held under temperature control*).**

**On August 31, 2011, you were sent a 2<sup>nd</sup> Notice of Critical – Minor Violations listing the three (3) violations and stating that they needed to be corrected. You were then informed that a re-inspection would take place on or after September 14, 2011.**

**On September 20, 2011, the Environmental Health Division of DSI conducted a 2<sup>nd</sup> re-inspection of your establishment found that you had corrected the three (3) CRITICAL-MINOR and two (2) CRITICAL-MAJOR Environmental Health Code violations.**

However, even though all the violations have been corrected, the two (2) CRITICAL-MAJOR Environmental Health Code violations had not been corrected by first re-inspection on August 30, 2011. Therefore, per Saint Paul Legislative Code §310.05 (m) (9), the licensing office will recommend a \$500.00 matrix penalty for both violations.


At this time, you have three options on how to proceed:

1. If you wish to admit to the violation you can pay the \$500.00 matrix penalty. You can send the payment to the Department of Safety and Inspections (DSI) located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Thursday, November 17, 2011**. A self-addressed envelope is enclosed for your convenience. Payment of the \$500.00 matrix penalty will be considered a waiver of the hearing to which you are entitled.
2. If you wish to admit the facts but you contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing. I will need to receive your letter by **Thursday, November 17, 2011**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing by **Thursday, November 17, 2011**. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

**If you have not contacted me by Thursday, November 17, 2011, I will assume that you are not contesting the imposition of the \$500.00 matrix penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.**

If you have questions about these options, please feel free to contact me at 266-8710.

Sincerely,



Kyle Lundgren  
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI  
Bill Gunther, Environmental Health Manager  
Chris Bangs, Green Mill, 57 Hamline Avenue South, St. Paul, MN 55105  
Afton Martens, Executive Director, Macalester Groveland Community Council, 320 South Griggs Street  
St. Paul, MN 55105-2800

STATE OF MINNESOTA)  
 ) ss. )

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY )


Julie Kraus, being first duly sworn, deposes and says that on the 7<sup>th</sup> day of November she served the attached the **NOTICE OF VIOLATION** and correct copy thereof in an envelope addressed as follows:

Chris Bangs  
Green Mill & Twisted Fork Grille  
1342 Grand Avenue  
St. Paul, MN 55105

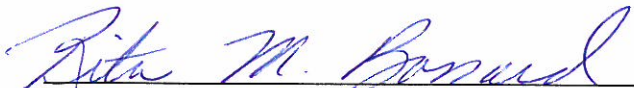
Chris Bangs  
Green Mill  
57 Hamline Avenue South  
St. Paul, MN 55105

Afton Martens, Executive Director  
Macalester Groveland Community Council  
320 South Griggs Street  
St. Paul, MN 55105-2800

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.

  
Julie Kraus

Subscribed and sworn to before me  
this 7<sup>th</sup> day of November, 2011

  
Notary Public

