



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

January 25, 2013

NOTICE OF INTENT TO DENY LICENSES

Paul Mielke
Tree Top Service
4683-65th Street SE
Delano, MN 55328

RE: Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle license applications submitted by Tree Top Clearing, Inc. d/b/a Tree Top Service for the City of Saint Paul
License ID #:20120001332

Dear Mr. Mielke:

The Department of Safety and Inspections will recommend denial of the Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle license applications submitted by Tree Top Clearing, Inc. d/b/a Tree Top Service for the City of Saint Paul. The basis for the recommendation is based on the following information:

On August 10, 2012, you were sent a letter from the Department of Safety and Inspections (DSI) stating that your Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle license applications had been “pending” since March 26, 2012.

The licenses would not be issued until you obtained the required inspection approval of the vehicle(s) used in the operation of your business. You were given until August 31, 2012 to call DSI and get the inspection completed. As of today's date, you have not contacted DSI to schedule the required vehicle inspection.

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

1. You can call Tom Ferrara (651) 266-9087 to schedule an inspection of your vehicle(s). This inspection would need to be completed no later than **Monday February 4, 2013**. Contacting the inspector and obtaining the necessary vehicle inspection approval will be considered to be 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 no later than **Monday, February 4, 2013**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your licenses. You will have an opportunity to appear before the Council and make a statement on your own behalf.

3. You can withdraw your license applications. Send a written statement to that effect to the Department of Safety and Inspections at 375 Jackson Street, Suite 220, St. Paul, Minnesota 55101-1806 no later than **Monday, February 4, 2013**. A self-addressed envelope is enclosed for your convenience. Any request for a refund of the license application fees must also be made in writing to the Department of Safety and Inspections.

If you have not contacted me or DSI by Monday, February 4, 2013, I will assume that you do not contest the denial of your licenses. 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,



Daphne Lundstrom
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI

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 25th day of January she served the attached **NOTICE OF INTENT TO DENY LICENSES** and correct copy thereof in an envelope addressed as follows:

Paul Mielke
Tree Top Service
4683-65th Street SE
Delano, MN 55328

(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
Julie Kraus

Subscribed and sworn to before me
this 25th day of January, 2013

Rita M. Bossard
Notary Public

