

OFFICE OF THE CITY ATTORNEY

Sara Grewing, City Attorney



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 9, 2014

NOTICE OF INTENT TO DENY LICENSE

Lawrence J. Selb  
434 Fry Street  
Saint Paul, MN 55104

RE: Taxicab Driver (Provisional) license application submitted by Lawrence J. Selb for the City of Saint Paul  
License ID #: 0011427

Dear Mr. Selb:

The Department of Safety and Inspections will recommend denial of the Taxicab Driver (Provisional) license application submitted by Lawrence J. Selb for the City of Saint Paul. The basis for the recommendation is based on the following information:

**On December 18, 2013, you submitted an application for a Taxicab Driver (Provisional) license with the Department of Safety and Inspections (DSI). During a routine criminal history check as part of the application process, DSI discovered that on August 18, 2006 you were convicted and sentenced in Wright County for Felony Drugs – 5<sup>th</sup> Degree – Possess Schedule 1,2,3,4 – Not Small Amount of Marijuana (Minn. Stat. § 152.025.2 (1)).**

Saint Paul Legislative Code § 376.16 (e) (4) (a) provides the following eligibility requirement for taxicab operator licensure: *“Not be under sentence or have been discharged from sentence for any felony conviction within five (5) years immediately preceding application for a license, or under sentence or have been discharged from sentence for any non-traffic gross misdemeanor or non-traffic misdemeanor conviction within the three (3) years immediately preceding application for a license.”*

**You were also convicted on August 18, 2006 of Gross Misdemeanor Traffic DWI – Operate Motor Vehicle Under Influence of Controlled Substance (Minn. Stat. § 169A.20.1 (2)).**

In addition, Saint Paul Legislative Code § 376.16 (e) (5) (a) (2) provides the following eligibility requirement for taxicab operator licensure: *“No convictions in the last ten (10) years for any of the following offenses involving injury or death; no conviction in the last three (3) years for any of the following offenses not involving injury or death: . . . . Driving while impaired under Minn. Stat. § 169A.20, subd. 1 or similar law of another state or Minnesota law as amended.”* Court records show you were discharged from probation on August 2, 2011 and August 4, 2011 from these convictions.

At this time, you have three (3) options on how to proceed:

1. 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, January 20, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your Taxicab Driver (Provisional) license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
2. If you dispute the facts outlined above, or wish to present evidence that the conviction is not related to your license as a taxicab driver, or that you have been rehabilitated pursuant to Minn. Stat. §364.01 et seq, you may request a hearing before an Administrative Law Judge (ALJ). I will need to receive your letter no later than **Monday, January 20, 2014**. 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.


Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

3. You may withdraw your license application. Send a written statement to that effect to the Department of Safety and Inspections (DSI), 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, January 20, 2014**. Information should be directed to the attention of Kristina Schweinler. Any request for a refund of the license application fee must also be made in writing to the Department of Safety and Inspections.

**If you have not contacted me or DSI by Monday, January 20, 2014, I will assume that you do not contest the denial of your Taxicab Driver (Provisional) license. 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,

  
Geoffrey Karls  
Assistant City Attorney

cc: Kristina Schweinler, Senior License Inspector, DSI  
Tom Ferrara, 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 9th day of January she served the attached **NOTICE OF INTENT TO DENY LICENSE** and correct copy thereof in an envelope addressed as follows:

Lawrence J. Selb  
434 Fry Street  
Saint Paul, MN 55104

(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 9th day of January, 2014

Rita M. Bossard  
Notary Public

