



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

May 9, 2014

NOTICE OF INTENT TO REVOKE LICENSE

Patrick E. Murphy
2904 Oregon Avenue South
St. Louis Park, MN 55426

RE: Taxicab Driver license held by Patrick E. Murphy for the City of Saint Paul
License ID #: 0048592

Dear Mr. Murphy:

The Department of Safety and Inspections will recommend revocation of the Taxicab Driver license held by Patrick E. Murphy for the City of Saint Paul. The recommendation is based on the following information:

On April 1, 2014, you submitted a license renewal application to the Department of Safety and Inspections. As part of the license renewal process, DSI requested a criminal history check and found you were involved in a narcotics transaction on October 1, 2013 while operating your taxicab at the Super America gas station at 756 North Snelling.

Police were in the area that day and watched as an individual left their car and got into your taxicab. When the individual left your taxicab and got in his car he was stopped by police. When asked why he was at the Super America, he said he just purchased a "dime bag of weed" from you a/k/a "Murph".

Officers contacted other West Force officers to look for you at the Super American. You were still in the parking lot and found in possession of a significant amount of suspected methamphetamine, marijuana and cocaine. You were booked with Felony Possession of a Controlled Substance with Intent to Distribute.

Although you were not convicted of this offense, Saint Paul Legislative Code § 310.06 (b) (6) (a) states the basis for adverse action: "The licensee or applicant (or any person whose conduct may be law be imputed to the licensee or applicant) has violated, or performed any act which is a violation of, any of the provisions of these chapters or of any statute, ordinance or regulation reasonably related to the license activity, regardless of whether criminal charges have or have not been brought in connection therewith;"



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At this time, you have two (2) options 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, May 19, 2014**. The matter will then be scheduled before the City Council for a public hearing to determine whether to revoke your Taxicab Driver 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, May 19, 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).

If you have not contacted me or DSI by Monday, May 19, 2014, I will assume that you do not contest the revocation of your Taxicab Driver 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: Dan Niziolek, DSI Deputy Director
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 May she served the attached **NOTICE OF INTENT TO REVOKE LICENSE** and a correct copy thereof in an envelope addressed as follows:

Patrick E. Murphy
2904 Oregon Avenue South
St. Louis Park, MN 55426

(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 May, 2014

Rita M. Bossard
Notary Public



EXHIBIT
6-3