



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

April 8, 2011

NOTICE OF INTENT TO SUSPEND LICENSE

Michael Muellner
Muellner Blacktop, Inc.
7007 – 20th Avenue South
Centerville, MN 55038

RE: City Contractor – General Installation license held by Muellner Blacktop, Inc. d/b/a Muellner Blacktop, Inc. for the City of Saint Paul
License ID #20100000168

Dear Mr. Muellner:

The Department of Safety and Inspections (DSI) has recommended suspension of the City Contractor – General Installation license held by Muellner Blacktop, Inc. d/b/a Muellner Blacktop, Inc. for the City of Saint Paul. The basis for the recommendation is as follows:

On March 17, 2011, you were sent a SECOND REQUEST letter from the Department of Safety and Inspections (DSI) stating that your license renewal had been placed on hold until you submitted a current original License, Permit & Performance Bond in the amount of \$2,500.00. You were given until March 31, 2011, to submit the requested bond. As of today's date, it has not been received.

In addition to the suspension of your City Contractor – General Installation, per Saint Paul Legislative Code §310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit the required information in order to maintain your license.

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

1. You can submit the requested \$2,500.00 License, Permit & Performance bond. If this is your choice, you can send the bond to the Department of Safety and Inspections (DSI) located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, April 18, 2011**. A self-addressed envelope is enclosed for your convenience. Submission of the bond 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 **Monday, April 18, 2011**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your license and impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.

Muellner Blacktop, Inc.

April 8, 2011

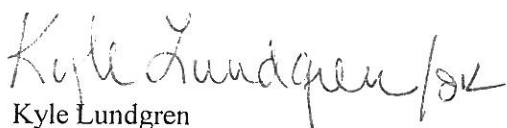
Page 2

3. If you no longer wish to do business in the City of Saint Paul, you will need to send a written statement to that effect to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, April 18, 2011**. Information should be directed to the attention of Christine Rozek.

If you have not contacted me by that date, I will assume that you do not contest the suspension of your license and 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,

Handwritten signature of Kyle Lundgren in cursive, followed by a forward slash and the letters 'sk'.

Kyle Lundgren
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Michael Muellner, 100 Marvy Street, Lino Lakes, MN 55014

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 8th day of April, she served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and correct copy thereof in an envelope addressed as follows:

Michael Muellner
Muellner Blacktop, Inc.
7007 – 20th Avenue South
Centerville, MN 55038

Michael Muellner
100 Marvy Street
Lino Lakes, MN 55014

(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 8th day of April, 2011

Rita M. Bossard
Notary Public

