



City of Saint Paul

Signature Copy

Resolution: RES 25-789

City Hall and Court
House
15 West Kellogg
Boulevard
Phone: 651-266-8560

File Number: RES 25-789

Approving adverse action against the Auto Garage & Second Hand Dealer - Motor Vehicle license held by M F K Enterprise Inc d/b/a M F K Enterprise, (License ID #57957) for the premises located at 830 Robert Street South. (Licensee will speak to Council on his own behalf) (Amend to add imposition of license conditions).

WHEREAS, the Auto Garage & Second Hand Dealer - Motor Vehicle license ("License") held by M F K Enterprise Inc d/b/a M F K Enterprise (License ID # 57957) at 830 Robert Street South ("Licensed Premises") was the subject of a Notice of Violation and Request for Imposition of \$1,000.00 matrix penalty, herein incorporated as **Exhibit #1** ("Notice") sent on February 10, 2025; and

WHEREAS, the title of the Notice should have included language related to the recommendation of the Department of Safety and Inspections to impose of amended/revised license conditions; and

WHEREAS, the Notice alleged on July 1, 2024, DSI Inspector Allan Vang sent a correction notice to the licensee indicating there were violations discovered from a May 3, 2024, inspection that required rectification by July 12, 2024, which shortly thereafter a re-inspection would take place; and

WHEREAS, the Notice alleged the July 1, 2024, correction notice described that the failure to correct violations (license conditions 1, 2, 4, and 5) prior to re-inspection, may result in adverse action against all licenses issued at the location up to and including a revocation of license; and

WHEREAS, the Notice alleged, that during a complaint-based inspection on October 4, 2024, DSI Inspector, Allan Vang observed vehicles parked in the public right-of-way, on the side of the road, and surrounding areas that were ~~are~~ in violation of the businesses' license conditions; and

WHEREAS, the Notice alleged, that during another inspection on November 14, 2024, DSI Inspector, Allan Vang and Inspector, Joseph Voyda observed a vehicle parked in the middle of the road. Vehicles were also parked on the public road and surrounding area. DSI Inspectors also observed rubbish, food scraps, motor oil and chairs around the exterior of the business; and

WHEREAS, the ~~complaint inspections~~ inspector's observations of violations prove that the property has an impact of to the neighboring surrounding areas safety; and and conditions updating. It also ~~observed outdated license conditions to implement current language for on street parking, outdoor storage and delivery of vehicles to the licensed premises. A removal of language and conditions that will no longer apply, thus, resulting in an imposition of amended/proposed license conditions 1,2, and 3.~~

WHEREAS, the Notice gave the licensee until February 20, 2025, to 1.) do nothing and a resolution would be submitted to Council to impose the \$1000.00 matrix penalty; 2.) pay the \$1,000.00 matrix penalty; 3.) admit the facts and request a hearing before the City Council; and 4.) request an administrative hearing;

WHEREAS, on February 26, 2025, the City Attorney's Office received an email from the licensee

admitting to the facts, but contesting the \$1,000.00 matrix penalty and requesting a hearing before City Council (Exhibit #2); and

WHEREAS, after February 27, 2025, the City Attorney's Office has made multiple follow up attempts to communicate with licensee on how to resolve the penalty. However, licensee failed to respond to any communication from the City Attorney's Office;

WHEREAS, the City Attorney's Office was able to speak with the licensee on May 28, 2025, and understands that the Licensee had read the Notice and reviewed the amended/revised conditions and wishes to go forward with the hearing before Council; and

WHEREAS, because of the written request of the Licensee admitting the facts and requesting an opportunity to address the penalty before City Council, the City Attorney's Office is placing this matter on the Council agenda;

WHEREAS, the Licensee appeared and address Council on this matter; and

WHEREAS, during the Licensee's testimony and after they concluded their testimony, the Council President expressed concerns that the Licensee was contesting the facts; now therefore, and

Whereas, the Council President stated that the Uniform Rules of License Procedure require a hearing before and Administrative Law Judge when facts are contested; and

WHERAS, the Council President then made a motion to refer this matter to an Administrative Law Judge for a hearing and to receive recommendations on the facts as alleged by the Department of Safety and Inspections; now therefore be it

~~RESOLVED, the Auto Garage & Second Hand Dealer – Motor Vehicle license held by M F K- Enterprise Inc d/b/a M F K Enterprise, (License ID #57957), for the premises located at 830 Robert Street South., Saint Paul, MN 55107 is hereby to pay ordered to pay the \$1,000.00 matrix penalty; and~~

RESOLVED, that the matter is referred to a hearing before an Administrative Law Judge.

At a meeting of the City Council on 5/28/2025, this Resolution was Passed.

Yea: 7 Councilmember Noecker, Councilmember Yang, Councilmember Kim, Councilmember Bowie, Councilmember Jost, Councilmember Johnson, and Councilmember Privratsky

Nay: 0

**Vote Attested by
Council Secretary**



Shari Moore

Date 5/28/2025

Approved by the Mayor



Melvin Carter III

Date 6/4/2025