



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

November 26, 2013

NOTICE OF INTENT TO SUSPEND LICENSES

Margaret Palumbo
Palumbo's Pizzeria
454 Snelling Avenue South
Saint Paul, MN 55105

RE: All licenses held by Cinema Saint Paul, LLC d/b/a Palumbo's Pizzeria for the premises located at 454 Snelling Avenue South in Saint Paul
License ID # 20110002096

Dear Ms. Palumbo:

The Department of Safety and Inspections (DSI) has recommended suspension of all licenses held by Cinema Saint Paul, LLC d/b/a Palumbo's Pizzeria for the premises located at 454 Snelling Avenue South in Saint Paul. The basis for the recommendation is as follows:

According to Department of Safety and Inspections (DSI) records, on September 10, 2013, you made a \$500.00 payment toward your license fees. As of today's date, you have not made any additional payments or set up a payment plan with DSI. You currently owe \$811.00 in license and late fees which have been delinquent since July 13, 2013.

Also, you were asked to provide your State Certification and a copy of gross receipts for food and beverages showing compliance with the 60/40 requirement in order to maintain your Wine On Sale and Malt On Sale (Strong) licenses.

Not providing this information is a violation of license condition #2 which states: "Per City of Saint Paul Legislative Code § 409.15 (e), licensee must be able to show that gross receipts of at least sixty (6) percent attributable to the sale of food". Also, license condition #3 which states: "Licensee will submit to the Department of Safety and Inspections (DSI) annual gross receipts for food and liquor for each year the license is renewed."

In addition to the suspension of your licenses for failure to pay delinquent license and late fees, 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 (3) options on how to proceed:

1. You can pay the delinquent license and late fees and submit the required information indicated above. If this is your choice you should send the payment and information directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, December 6, 2013**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fees and submission of the required information will be considered to be a waiver of the hearing to which you are entitled.
2. If you wish to admit the facts but 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 the facts and requesting a public hearing no later than **Friday, December 6, 2013**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your licenses 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.
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 **Friday, December 6, 2013**. A self-addressed envelope is enclosed for your convenience.

If you have not contacted me or DSI by Friday, December 6, 2013, I will assume that you do not contest the suspension of your licenses 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,



Geoffrey Karls
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Margaret Palumbo, 2011 Cohansey Boulevard, Roseville, MN 55113

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 26th day of November she served the attached **NOTICE OF INTENT TO SUSPEND LICENSES** and a correct copy thereof in an envelope addressed as follows:

Margaret Palumbo
Palumbo's Pizzeria
454 Snelling Avenue South
Saint Paul, MN 55105


Margaret Palumbo
2011 Cohansey Boulevard
Roseville, MN 55113

(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

Subscribed and sworn to before me
this 26th day of November, 2013



Notary Public

