



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 1, 2016

NOTICE OF INTENT TO SUSPEND LICENSE

John Warren Vojtech, Owner
Twin City Fleet Repair
290 Larch Street
St. Paul, MN 55117

RE: Auto Repair Garage license held by Afterhours Mobile Service, Inc. d/b/a Twin City Fleet Repair for the premises located at 290 Larch Street in Saint Paul
License ID #20070003991

Dear Licensee:

The Department of Safety and Inspections (DSI) will recommend adverse action against the Auto Repair Garage license held by Afterhours Mobile Service, Inc. d/b/a Twin City Fleet Repair for the premises located at 290 Larch Street in Saint Paul. The basis for the recommendation is as follows:

In February of 2015, an inspector from the Department of Safety and Inspections (DSI) conducted an inspection of your licensed premises. On March 3, 2015 you were issued an order to bring your property into compliance with your approved site plan dated November 5, 2007 (#07-145589).

On June 11, 2015, you were sent an electronic mail from DSI stating another inspection would be conducted the first week of September 2015. On August 31, 2015, DSI received a letter of hardship stating financial issues made it difficult for you to make the necessary improvements.

On March 28, 2016, a DSI Inspector came to your licensed premises for an inspection. An Enforcement Notice sent to you on March 30, 2016, indicated that during that inspection, he found you still were not in compliance with your license conditions and the approved site plan:

- 1. The number of vehicles stored outdoors substantially exceeded fourteen (14), in violation of license condition #1: "The number of vehicles stored outdoors shall not exceed fourteen (14). All long term vehicle storage on the site must be parked as shown on the approved site plan on file with DSI, dated 11/05/07. (Any changes to the site plan must be approved by the Zoning Administrator)."**
- 2. There were vehicles parked and/or stored outdoors that were not completely assembled and had major body parts missing in violation of license condition #6: "All vehicles parked and/or stored outdoors must appear to be completely assembled with no major body parts missing."**

3. The licensed property had not been maintained in conformity with the approved site plan and license condition #5: "The license hold agrees to maintain the fencing, vehicle location and vehicle barriers in a manner consistent with the approved site plan."

You have been provided well in excess of one year to bring your licensed premises into compliance and have failed to do so; therefore, the Department of Safety and Inspections will recommend an indefinite suspension of your Auto Repair Garage license until you can bring your licensed premises into compliance with all of your license conditions and the approved site plan.

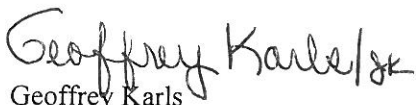
At this time, you have four (4) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **Monday, April 11, 2016**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the City Council Agenda for approval of the proposed remedy.
2. You need to bring your licensed premises into compliance with your license conditions and approved site plan. If this is your choice, you need to contact Jerome Benner (651) 266-9088 by **Monday, April 11, 2016** to arrange a re-inspection to confirm you have completed the actions required to come into compliance. Compliance with your license conditions and approved site plan will be considered to be a waiver of the hearing to which you are entitled.
3. 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. I will need to receive your letter by **Monday, April 11, 2016**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your Auto Repair Garage license indefinitely until you come into compliance. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing by **Monday, April 11, 2016**. 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.

If you have not contacted me or DSI by Monday, April 11, 2016, I will assume that you do not contest the indefinite suspension of your Auto Repair Garage license until you bring your licensed premises into compliance. 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: Eric Hudak, DSI Licensing Manager
John Warren Vojtech, 2205 Foxtail Court, White Bear Lake, MN 55110-1038

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

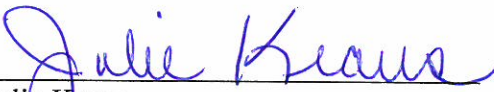
COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 1st day of April she served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** and a correct copy thereof in an envelope addressed as follows:

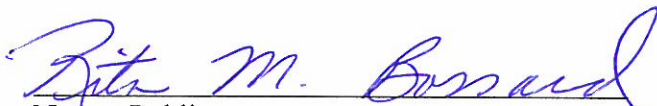
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Twin City Fleet Repair
290 Larch Street
St. Paul, MN 55117

John Warren Vojtech
2205 Foxtail Court
White Bear Lake, MN 55110-1038

(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 1st day of April, 2016


Notary Public

