



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 12, 2011

NOTICE OF INTENT TO DENY LICENSES

Rob Murdick  
Hospitality Vending  
3801 – 3<sup>rd</sup> Street NE  
Minneapolis, MN 55421

RE: Food Vending Machine and Food Vending Machine Operator license applications submitted by The Vending Doctor, Inc. d/b/a Hospitality Vending for the City of Saint Paul  
License ID #: 20090002993

Dear Mr. Murdick:

The Department of Safety and Inspections will recommend denial of the Food Vending Machine and Food Vending Machine Operator license applications submitted by The Vending Doctor, Inc. d/b/a Hospitality Vending for the City of Saint Paul. The basis for the recommendation is based on the following information:

**On February 10, 2011, you were sent a letter from the Department of Safety and Inspections (DSI) indicating that your license applications were “pending” until you contacted DSI to obtain Environmental Health inspection approval.**

**You were given until February 18, 2011 to contact DSI to schedule the inspection. As of today’s date that inspection has not been scheduled.**

As a result, the Department of Safety and Inspections is recommending license denial and immediate removal of all Food Vending machines under your control from within the Saint Paul City Limits.

At this time, you have three options on 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 by **Friday, April 22, 2011**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your licenses and order immediate removal of all of your Food Vending machines in Saint Paul. 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, you may request a hearing before an Administrative Law Judge (ALJ). 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 this is your choice, please advise me no later than **Friday, April 22, 2011**, and I will take the necessary steps to schedule the administrative hearing.
3. You may withdraw your license applications. Send a written statement to that effect to the Department of Safety and Inspections at 375 Jackson Street, Suite 220, St. Paul, Minnesota 55101-1806 no later than **Friday, April 22, 2011**. Information should be directed to the attention of Christine Rozek. Any request for a refund of the license application fee must also be made in writing to the Department of Safety and Inspections.

**If you have not contacted me by Friday, April 22, 2011, I will assume that you do not contest the denial of your licenses and removal of all of your Food Vending machines in Saint Paul. 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,



Kyle Lundgren  
Assistant City Attorney

cc: Christine Rozek, Deputy Director of 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 12<sup>th</sup> day of April, she served the attached **NOTICE OF INTENT TO DENY LICENSES** and correct copy thereof in an envelope addressed as follows:

Rob Murdick  
Hospitality Vending  
3801 – 3<sup>rd</sup> Street NE  
Minneapolis, MN 55421

(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 12<sup>th</sup> day of April, 2011

Rita M. Bossard  
Notary Public

