



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 6, 2012

**NOTICE OF INTENT TO DENY LICENSE**

Charles A. McNeal  
6279 – 50<sup>th</sup> Street North  
Oakdale, MN 55128

RE: Taxicab Driver (Provisional) license application submitted by Charles A. McNeal for the City of Saint Paul  
License ID #: 20120004721

Dear Mr. McNeal:

The Department of Safety and Inspections will recommend denial of the Taxicab Driver (Provisional) license application submitted by Charles A. McNeal for the City of Saint Paul. The basis for the recommendation is based on the following information:

**On October 1, 2012, you submitted an application for a Taxi Driver (Provisional) license. During a required criminal history check, the Department of Safety and Inspections (DSI) discovered that on December 10, 2008, you were convicted of Felony Burglary – 2<sup>nd</sup> Degree-Dwelling in Washington County. You were then placed on Supervised Probation for a term of ten (10) years from December 10, 2008 to December 10, 2018.**

**Saint Paul Legislative Code § 376.16 (e) (4) (a) requires that *“The licensee shall not be under sentence or have been discharged from sentence for any felony conviction with the five (5) years immediately preceding application for a license.....”* Therefore, you would not be eligible to apply for a Taxicab Driver (Provisional) license until December 11, 2023.**

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 no later than **Friday, November 16, 2012**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your Taxicab Driver (Provisional) license. 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, or wish to present evidence that the conviction is not related to your license as a taxicab driver, or that you have been rehabilitated pursuant to Minn. Stat. §364.01 et seq, you may request a hearing before an Administrative Law Judge (ALJ). I will need to receive your letter no later than **Friday, November 16, 2012**. 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.


Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

3. You may withdraw your license renewal application. Send a written statement to that effect to the Department of Safety and Inspections (DSI), 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, November 16, 2012**. 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, November 16, 2012, I will assume that you do not contest the denial of your Taxicab Driver (Provisional) license. 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,



Daphne Lundstrom  
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI  
Tom Ferrara, 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 6<sup>th</sup> day of November she served the attached **NOTICE OF INTENT TO DENY LICENSE** and correct copy thereof in an envelope addressed as follows:

Charles A. McNeal  
6279 -50<sup>th</sup> Street North  
Oakdale, MN 55128

(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 6<sup>th</sup> day of November, 2012

Rita M. Bossard  
Notary Public

