



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

July 6, 2017

NOTICE OF INTENT TO REVOKE LICENSE

Mark Arthur Johnson
939 South Street
Anoka, MN 55303

RE: Taxicab Driver (Provisional) license held by Mark Arthur Johnson for the City of Saint Paul
License ID #: 20040001842

Dear Licensee:

The Department of Safety and Inspections will recommend revocation of the Taxicab Driver (Provisional) license held by Mark Arthur Johnson for the City of Saint Paul. The recommendation is based on the following information:

On February 28, 2017, you submitted a Taxicab Driver (Provisional) renewal application to the Department of Safety and Inspections (DSI). During a routine criminal history check as part of the renewal process, DSI discovered you were convicted on January 25, 2017 in Anoka County of Domestic Assault-Misdemeanor-Intentionally Inflicts/Attempts to Inflict Bodily Harm (Minn. Stat. 609.2242.1(2)). You were placed on Supervised Probation for one (1) year which is scheduled to expire on January 25, 2018.

Saint Paul Legislative Code § 376.15 (e) (3) (a) states the basis for adverse action: “Not be under sentence or have been discharged from sentence for any felony conviction within the five (5) years immediately preceding application for a license, or under sentence or have been discharged from sentence for any non-traffic gross misdemeanor or non-traffic misdemeanor conviction within the three (3) years immediately preceding application for a license.”

Saint Paul Legislative Code § 376.15 (e) (3) (c) states: “A person holding a license on the effective date of this section (July 14, 2006) will be disqualified from license renewal only for convictions that occur after the effective date of this section. However, no licensee will be eligible for renewal if the licensee has any felony convictions in the five (5) years preceding renewal; or any non-traffic gross misdemeanor or misdemeanor convictions in the three (3) years preceding renewal involving the use or threat of use of force, possession or sale of a controlled substance, prostitution or indecent conduct.”

At this time, you have three (3) 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, July 17, 2017**. 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.

Mark Arthur Johnson

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2. 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 no later than **Monday, July 17, 2017**. The matter will then be scheduled before the City Council to determine whether to revoke your Taxicab Driver (Provisional) license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. 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 **Monday, July 17, 2017**. 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).

If you have not contacted me by Monday, July 17, 2017, I will assume that you do not contest the revocation 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 three (3) options, please feel free to contact Julie Kraus, my Legal Assistant at (651) 266-8776.

Sincerely,



Therese Skarda
Assistant City Attorney

cc: Ross Haddow, DSI Inspector

STATE OF MINNESOTA)
) ss.

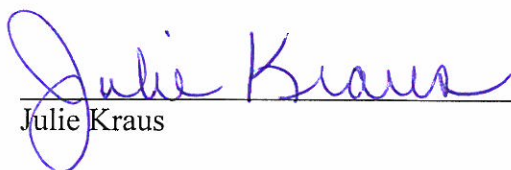
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COUNTY OF RAMSEY)

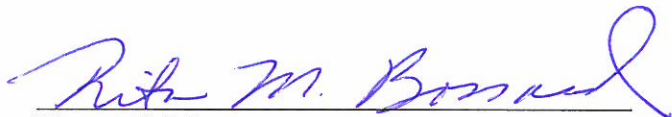
Julie Kraus, being first duly sworn, deposes and says that on the 6TH day of July she served the attached **NOTICE OF INTENT TO REVOKE LICENSE** and a correct copy thereof in an envelope addressed as follows:

Mark Arthur Johnson
939 South Street
Anoka, MN 55303

(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 6TH day of July, 2017


Notary Public

