



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

December 10, 2010

NOTICE OF INTENT TO SUSPEND LICENSE

Kim Hennen
Gresser
2905 Lexington Avenue South
Eagan, MN 55121

RE: Sidewalk Contractor license held by Gresser Companies, Inc. d/b/a Gresser for the City of Saint Paul
License ID #20020000449

Dear Ms. Hennen:

The Department of Safety and Inspections (DSI) has recommended suspension of the Sidewalk Contractor license held by Gresser Companies, Inc. d/b/a Gresser for the City of Saint Paul. The basis for the recommendation is as follows:

On November 17, 2010, you were sent a THIRD REQUEST from the Department of Safety and Inspections (DSI) asking that you submit a current original Sidewalk Bond in the amount of \$5,000.00 for the coverage dates of December 31, 2009 through December 31, 2010. You were given until December 2, 2010 to submit the required information. As of today's date, it has not been received.

In addition to the suspension of your Sidewalk Contractor license, per St. Paul Legislative Code §310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit required information at renewal in order to maintain your license.

At this time, you have three options on how to proceed:

1. You can submit the required bond information. If this is your choice, you can send the information to the Department of Safety and Inspections (DSI) located at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, December 20, 2010**. A self-addressed envelope is enclosed for your convenience. Submission of the bond information will be considered a waiver of the hearing to which you are entitled.
2. If you wish to admit the facts but you contest the license suspension and \$500.00 matrix 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 **Monday, December 20, 2010**. The matter will then be scheduled before the City Council for a public hearing to determine whether to impose the license suspension and \$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 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 **Monday, December 20, 2010**, and I will take the necessary steps to schedule the administrative hearing.

If you have not contacted me by that date, I will assume that you do not contest the suspension of your license 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,

Handwritten signature of Rachel Tierney in cursive, followed by the initials "RTK".

Rachel Tierney
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI

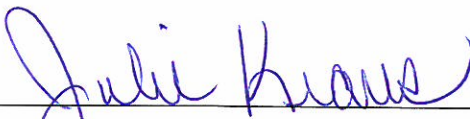
AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 10th day of December, she served the attached **NOTICE OF INTENT TO SUSPEND LICENSE** placing a true and correct copy thereof in an envelope addressed as follows:

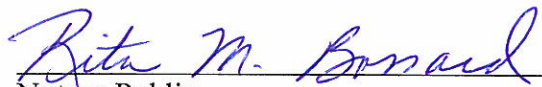
Kim Hennen
Gresser
2905 Lexington Avenue South
Eagan, MN 55121

(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 10th day of December, 2010



Notary Public

