



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

May 15, 2015

NOTICE OF INTENT TO DENY LICENSES

Robert Hutcheson, President
The Tree & Stump Co., Inc.
13677 Dan Patch Drive
Savage, MN 55378

RE: Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle license applications submitted by The Tree & Stump Co., Inc., d/b/a The Tree & Stump Co., Inc. for the City of Saint Paul
License ID #20140001266

Dear Mr. Hutcheson:

The Department of Safety and Inspections (DSI) will recommend denial of the Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle license applications submitted by The Tree & Stump Co., Inc., d/b/a The Tree & Stump Co., Inc. for the City of Saint Paul. The basis for the recommendation is as follows:

On March 23, 2015, you were sent a letter from the Department of Safety and Inspections (DSI) stating the license applications you submitted on May 16, 2014, was in “pending” status until the following requirements were met:

- Obtain inspection approval of the vehicles(s) used in the operation of your business by contacting a DSI Inspector to schedule the required inspection.
- Provide proof that you have an individual who possesses current certification as an arborist from the International Society of Arboriculture (ISA) employed at the business.
- Provide evidence of insurance issued by an insurance company authorized to do business in the State of Minnesota in a sum of as least one hundred thousand dollars (\$100,000) for bodily injuries to or death of any person or persons not covered by the workers' compensation law, and in the sum of as least one hundred thousand dollars (\$100,000) for damage to or destruction of property.

You were given until April 24, 2015 to complete the requirements listed above. As of today's date, your application is still pending.

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, May 25, 2015**, 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 will need to have your vehicle(s) inspected. If this is your choice, you will need contact either Tom Ferrara (651) 266-9087 or Kristina Schweinler (651) 266-9110 no later than **Monday, May 25, 2015** to schedule a vehicle inspection.

You also will need to submit the required ISA certification and evidence of insurance to the Department of Safety and Inspections, 375 Jackson Street, Suite 220, Saint Paul, MN 55101-1806, no later than **Monday, May 25, 2015**. A self-addressed envelope is enclosed for your convenience. Scheduling the vehicle inspections and submitting the required information will be considered a waiver of the hearing of which you are entitled.

3. 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 **Monday, May 25, 2015**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle licenses. You will have an opportunity to appear before the Council and make a statement on your own behalf
4. You may withdraw your license applications. 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 **Monday, May 25, 2015**. Information should be directed to the attention of Dan Niziolek. 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 Monday, May 25, 2015, I will assume that you are not contesting the denial of your Tree Trimmer & 1 Vehicle and Tree Trimmer – Each Add'l Vehicle licenses. 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: Dan Niziolek, DSI Deputy Director

