



CITY OF SAINT PAUL

Mayor Melvin Carter

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

March 22, 2018

**NOTICE OF COUNCIL HEARING**

Roy Carlson, Sr. - President  
Budget Towing Inc. of St Paul  
560 Randolph Avenue  
St. Paul, MN 55116

RE: Auto Repair Garage, Second Hand Dealer, Second Hand Dealer-Motor Vehicle, Tow Truck/Wrecker (Operator) and Tow Truck/Wrecker (Vehicle) licenses held by Budget Towing Inc. of St. Paul d/b/a Budget Towing Inc. of St Paul for the premises located at 560 Randolph Avenue in Saint Paul License ID #20120005762

Dear Licensee:

Please take notice that this matter has been set on the Public Hearing Agenda for a City Council meeting on **Wednesday, April 18, 2018 at 5:30 p.m.**, in the City Council Chambers, Third Floor, Saint Paul City Hall and Ramsey County Courthouse, 15 West Kellogg Boulevard, St. Paul, MN 55102.

Enclosed are copies of the faxed letter you sent on March 16, 2018 indicating that you were not contesting the facts related to the incident, but were requesting the opportunity to address the Council regarding the penalty, the resolution and any supporting documents. This information will be presented to City Council for their consideration.

This is an uncontested matter concerning three (3) license conditions violations documented by an inspector from the Department of Safety and Inspections during a follow-up inspection on October 30, 2017.

As a result of these violations the licensing office will recommend a \$500.00 matrix penalty.

Sincerely,

Therese Skarda  
Assistant City Attorney

Cc: Roy Carlson, Sr., 1108 York Avenue, St. Paul, MN 55106

STATE OF MINNESOTA)  
 ) ss.

**AFFIDAVIT OF SERVICE BY U.S. MAIL**

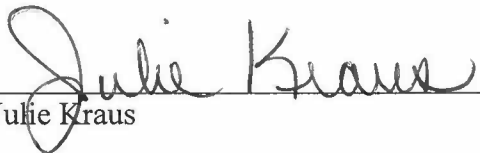
COUNTY OF RAMSEY )

Julie Kraus, being first duly sworn, deposes and says that on the 22<sup>nd</sup> day of March she served the attached **NOTICE OF COUNCIL HEARING** and a correct copy thereof in an envelope addressed as follows:

Roy Carlson, Sr. - President  
Budget Towing Inc. of St Paul  
560 Randolph Avenue  
St. Paul, MN 55116

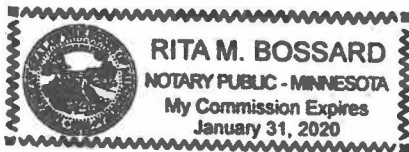
Roy Carlson, Sr.  
1108 York Avenue  
St. Paul, MN 55106

(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 22<sup>nd</sup> day of March, 2018

  
Notary Public



## UNCONTESTED LICENSE MATTER

**Licensee Name:** Budget Towing, Inc. of St Paul

**Address:** 560 Randolph Avenue  
St. Paul, MN 55116

**Council Date:** Wednesday, April 18, 2018 at 5:30 p.m.

**Violation:** Three (3) license condition violations documented by an inspector from the Department of Safety and Inspections during a follow-up inspection on October 30, 2017.

**Recommendation of Assistant City Attorney on behalf of client, Department of Safety and Inspections:**

**\$500.00 Matrix Penalty**

**Attachments:**

1. Resolution
2. License Group Comments Text from ECLIPS System dated 2/23/2018 (4 pages)
3. License Group Conditions Text from ECLIPS System dated 2/23/2018 (1 page)
4. Inspection Report from 10/30/2017 with photographs dated 2/16/2018 (7 pages)
5. Letter to Roy Carlson from Alex Kohlhaas with attached site plan #13-138950 dated 1/09/2018 (2 pages)
6. Letter to Roy Carlson from Tom Beach with site layout dated 1/23/2013 (2 pages)
7. Notice of Violation with Affidavit of Service dated 2/27/2018 (4 pages)
8. Letter from licensee requesting a public hearing dated 3/16/2018 (1 page)
9. Saint Paul Legislative Code §310.05 (m)



# City of Saint Paul

City Hall and Court House  
15 West Kellogg  
Boulevard  
Phone: 651-266-8560

## Master

**File Number: RES PH 18-95**

**File ID:** RES PH 18-95      **Type:** Resolution-Public Hearing      **Status:** ATS Review

**Version:** 1      **Contact Number:** 266-8710      **In Control:** City Council

**Department:** Council Secretary      **File Created:** 03/22/2018

**File Name:** Budget Towing Inc of St Paul \$500.00 matrix penalty      **Final Action:**

**Title:** Approving adverse action against the Auto Repair Garage, Second Hand Dealer, Second Hand Dealer-Motor Vehicle, Tow Truck/Wrecker (Operator) and Tow Truck/Wrecker (Vehicle) licenses held by Budget Towing Inc. of St. Paul d/b/a Budget Towing Inc. of St Paul located at 560 Randolph Avenue in Saint Paul.

### Notes:

**Code Sections:**

**Agenda Date:** 04/18/2018

**Sponsors:** Noecker

**Agenda Number:**

**Enactment Date:**

**Attachments:** Notice of Council Hearing with Affidavit of Service.pdf, Uncontested License Matter coversheet.pdf, License Group Comments Text.pdf, License Group Conditions Text.pdf, Inspection Report with photographs dated October 30th 2017.pdf, Letter to licensee with site plan #13-138950 dated January 9th 2018.pdf, Letter to licensee with site layout dated January 23rd 2013.pdf, Notice of Violation with Affidavit of Service dated February 27th 2018.pdf, Letter requesting a public hearing dated March 16th 2018.pdf, SPLC Section 310.05 (m) - Hearing Procedures.pdf

**Financials Included?:**

**Contact Name:** Therese Skarda

**Hearing Date:**

**Entered by:** Julie.Kraus@ci.stpaul.mn.us

**Ord Effective Date:**

### Approval History

| Version | Seq # | Action Date | Approver | Action | Due Date |
|---------|-------|-------------|----------|--------|----------|
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### History of Legislative File

| Ver- sion: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return Date: | Result: |
|------------|--------------|-------|---------|----------|-----------|--------------|---------|
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### Text of Legislative File RES PH 18-95

Approving adverse action against the Auto Repair Garage, Second Hand Dealer, Second Hand Dealer-Motor Vehicle, Tow Truck/Wrecker (Operator) and Tow Truck/Wrecker (Vehicle) licenses held by Budget Towing Inc. of St. Paul d/b/a Budget Towing Inc. of St Paul located at 560 Randolph Avenue in Saint Paul.

WHEREAS, the Auto Repair Garage, Second Hand Dealer, Second Hand Dealer-Motor Vehicle, Tow Truck/Wrecker (Operator) and Tow Truck/Wrecker (Vehicle) licenses held by Budget Towing Inc. of St. Paul d/b/a Budget Towing Inc. of St Paul (License ID #20120005762) for the premises located at 560 Randolph Avenue in Saint Paul were the subject of a Notice of Violation sent February 27, 2018; and

WHEREAS, an inspector from the Department of Safety and Inspections (DSI) came to the licensed premises on October 30, 2017 for a follow-up inspection and documented with photographs three (3) license condition violations; and

WHEREAS, per Saint Paul Legislative Code § 310.05 (m) (1), the licensing office recommended a \$500.00 matrix penalty; and

WHEREAS, the licensee responded to the Notice of Violation with a request for a public hearing which was scheduled on April 18, 2018; so therefore be it

RESOLVED, Budget Towing Inc. of St. Paul d/b/a Budget Towing Inc. of St Paul is hereby ordered to pay a \$500.00 matrix penalty for three (3) license condition violations documented by a DSI inspector during a follow-up inspection on October 30, 2017.

Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.